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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: System for Marketing Goods and
Services Utilizing Computerized
Central and Remote Facilities

Inventor: Stephen C. Wren
Serial No.: 08/650,834
Filed: May 20, 1996

Art Unit 3625
Mr. James Zurita
Examiner

FIFTH SUBSTITUTE APPEAL BRIEF

This Substitute Appeal Brief is in response to a fifth Notification of Non-Compliant Appeal Brief (NNAB) mailed December 29, 2006. All requested changes have been made in accordance with Examiner's instructions and the appropriate sections of the MPEP. However, it is to be noted that the changes or corrections called for and made herein were not previously brought to Applicant's attention in any of the four prior NNAB's. Applicant would have been pleased to have made them earlier in order to advance the prosecution of this case and avoid delaying the delivery of it to the Board of Appeals, obviating what would appear to be piece-meal prosecution.

Applicant notes that the manner in which prosecution has occurred in this case has thus far delayed delivery of it to the Board of Appeals for over one year. Still, the Examiner has yet to write his Answer. The manner in which this case has been prosecuted by this Examiner would seem to suggest tactics intended to delay delivery to the Board of Appeals.

It is also maintained that changes have been required as being necessary for compliance when such changes are not required by the Rules of Practice.

Also contrary to the Rules of Practice is the Examiner's statement on page 3 of the NNAB that the appeal will be dismissed if this amended brief does not comply with 37 CFR 41. It is Applicant's understanding that the Examiner may only do so if the amended brief, "does not

overcome all the reasons for non-compliance stated in the notification". It is also Applicant's understanding that since he is filing this brief pro se he is only required to "substantially comply with paragraphs (c)(1)(i) through (c)(1)(iv) and (c)(1)(vii) through (c)(1)(x)" of 37 CFR 41.37. Applicant has done both.

(1) Real Party in Interest

The real party in interest herein is Variant Holdings LLC, a Nevis corporation, to which Mr. Wren, the sole inventor, assigned his rights.

(2) Related Appeals and Interferences

This case is copending with serial number 09/504,374, filed February 15, 2000 -now on appeal. There are no other prior or pending appeals, interferences or judicial proceedings to which Variant Holdings LLC or Mr. Wren is presently a party.

(3) Status of Claims

The claims on appeal in this application are 30-36, 38-45, 47-54, 57-64, 67-116, and 121-143. These claims all stand rejected and have been reproduced in part 8. Claims 117-120 were Non-elected under 35 USC 121 and were thus withdrawn from consideration. Claims 1-29, 37, 46, 55-56, and 65-66 were previously cancelled.

(4) Status of Amendments

This appeal is taken from the final rejection. An amendment filed by Applicant after the final rejection on October 17, 2005 "to correct grammar, and spelling, and to provide a clear antecedent basis with consistent structure and terminology" was not entered.

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(5) Summary Of Claimed Subject Matter

In the first section that follows a concise explanation is given for each independent claim on appeal. In the second section support for each independent, means, and dependent claim argued separately is set forth in tabular form.

Explanation

Claim 30 relates to an apparatus to sell or market goods or services over a network of remote and central computers where one or more central computers allow a customer to select and contact another central computer.

Claim 44 relates to an apparatus to sell or market goods or services comprising a first central facility providing product information which enables a customer to select and contact another central facility having other product information.

Claim 59 relates to a method for transacting goods or services between a customer at a remote location and providers of such wherein a database of a first provider is used to direct the customer to a second provider.

Claim 70 relates to an apparatus to market goods or services comprising a first central facility that enables a customer at a remote facility to select and contact another central facility wherein the first central facility provides two simultaneous communications with the remote facility.

Claim 82 relates to an apparatus for providing information relating to goods and services comprising a first central facility of a first provider linked to a plurality of other central facilities of at least one other provider and to a remote facility, where the remote facility can access the other central facilities and where one of the central facilities enables the customer to select and contact another central facility.

Claim 87 relates to an apparatus for marketing goods and services where a central facility providing product information is accessible to a customer through information provided by another central facility.

Claim 88 relates to an apparatus to market goods or services over an electronic network comprising a central facility of a first provider linked to a central facility of a second provider and to a remote facility of a customer wherein the first central facility directs the customer to the second central facility.

Claim 89 relates to a first computerized central communications facility linked to a plurality of other computerized central communications facilities wherein the first central facility directs a customer at a computerized remote communications facility to a central facility in competition with one of the other central facilities.

Claim 90 relates to a first computerized central communications facility linked to a plurality of other central facilities where at least one central facility provides information on goods and services in competition with the first and where the first provides information on good and services to a customer at a remote facility.

Claim 108 relates to a marketing apparatus for use with a distant communications apparatus including a data record and digital image of a good for sale transmitted to the marketing apparatus and providing access to that information by a customer enabling customer to execute a transaction and tender payment.

Claim 115 relates to an apparatus to market and/or sell goods or services over an electronic network comprising a first central facility linked to a remote facility and other central facilities, each central facility containing a database accessible by a customer at the remote facility, where at least one central facility provides the customer information regarding rentals.

Claim 123 relates to a method for using software in a computer network of remote and central facilities where the remote facility uses browsing software and downloaded application software to download and present transmitted hypermedia documents.

Claim 130 relates to a method for enabling a remote user to preview a portion of a pre recorded entertainment product over a network from a computerized central communications facility.

Claim 138 relates to an apparatus for marketing goods and/or services comprising a central facility providing product information to a plurality of remote facilities. The central facility provides auctioning services receiving bids from customers.

Claim 140 relates to an apparatus to market and/or sell goods or services over an electronic network comprising a first computerized central communications facility linked to a remote facility and to a plurality of other central facilities, where at least one of the central facilities is adapted to provide a customer at the remote facility information regarding entertainment rentals.

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Support

Support for each of the claims on appeal can be found in Applicant's parent application 08/268,309 filed June 29, 1994 (incorporated in instant application by reference) and in the instant application. To facilitate following this support the below Table is presented.¹

Claim	Support in the '309 Application	Support in the Instant Application
1-29. Cancelled		
30. An apparatus to market and sell goods or services over an electronic network comprising: a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities,	The specification at page 1, lines 10-17 (1:10-17) discloses: "The present invention generally relates to . . . system and method for facilitating transactions. . . ."; the specification at page 8 lines 1-4 discloses: "The method by which the transactions are facilitated reduces the costs associated with creating, marketing, administering, and selling these products and services..." The specification at page 5, lines 8-10 discloses: "... whereas the present invention would with central storage permit each remote facility or location to communicate with an array of central facilities..."; the specification at page 6, line 31 – page 7 line 3 discloses: "For auction houses a number of the remote locations may be concurrently linked with one or more central facilities..."; the specification at page 7 lines 30-35 discloses: "The customer is to communicate with central facilities or locations comprising banks, . . . or in general any location from which a customer might wish assistance"; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."	Page 1, line 14 Page 25, line 19 Page 17, line 4 Page 7, line 9 Page 17, line 18
each of said first or other computerized central communications facilities having	The specification at page 3 line 34 – page 4 line 3 discloses: "... unlike the preferred embodiment of the present invention where	Page, 8 line 20

¹ Applicant notes that the above Table provides examples of support in the '309 and instant applications and should not be construed as limiting or excluding other supporting text. Applicant further notes that this presentation in no way limits Applicant from establishing support for any of the claims in any earlier priority application.

Claim	Support in the '309 Application	Support in the Instant Application
<p>information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:</p> <p>receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;</p> <p>enable said customer to at least one of search, browse and access said database for information of interest; and</p> <p>transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;</p>	<p>the information is centralized or stored centrally and thereafter transmitted to the customer at the remote location..."; the specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through databases of goods and services.", the specification at page 21 lines 28-30 discloses: "The customer may respond to questions regarding his medical history and based upon a search of medical history either at the central facility...."</p> <p>FIG. 1, page 1 line 15</p>	<p>Page 9, line 7 Figure 1 (computer 32)</p> <p>Page 22, line 14; Page 29, line 3; page 8, line 23</p> <p>Figure 1; page 1, line 19</p>
<p>wherein at least one of said first or other computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central communications facilities permitting said customer to select and contact at least one other computerized central communications facility to request additional information relating to said goods or services.</p>	<p>The specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."</p>	<p>Incorporated by reference from '309 application; see also Page 20, line 2</p>
<p>31. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to facilitate a transaction between said computerized central communications facility and said computerized remote communications facility.</p>	<p>The specification at page 7 line 30 – page 8 line 1 discloses: "The customer is to communicate with central facilities or locations ... from which a customer might wish assistance in facilitating a transaction.", the specification at page 8 lines 17-20 discloses: "...customer may use the electronic communications facilities and equipment at the remote location to contact a financial services company or some other central facility to facilitate a transaction..."</p>	<p>Page 1, line 17</p>
<p>32. The apparatus of claim 30, wherein at least one of said computerized central communications facilities is further</p>	<p>The specification at page 16 lines 24-30 discloses: "... the central facility or its representative may have occasion to initiate contact with a given remote facility. An</p>	<p>Page 27, lines 14-17</p>

Claim	Support in the '309 Application	Support in the Instant Application
programmed to contact the customer and apprise said customer of goods or services offered or any special offerings.	example would be for use in a public or private location where the central system would contact the remote facility to apprise potential customers of goods and services offered."	
33. The apparatus of claim 30, wherein said computerized central communications facility and each of said other computerized central communications facilities are associated with competing providers of goods or services.	Referring to deficiencies of the prior art as compared with the embodiments of the invention, the specification, at page 6 lines 2-6, discloses: "Neither does Walker permit each remote facility to communicate with a variety of central facilities thus restricting the variety and competition for goods and services there offered..."; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services.", further, the specification at page 11 lines 20-32 discloses: "The reduction in costs associated with these products will then help create a greater variety of more competitive products for customers more likely to meet each customer's specific needs with greatly reduced overhead costs allowing the products to be much more competitive with other products and services ... The reduced capital requirements would also encourage smaller companies to compete. Many smaller companies currently concentrate on specific states or regions as they do not have the resources to develop products for many states. The result would be increased competition."	Incorporated by reference from '309 application; see also Page 20, line 3
34. The apparatus of claim 30, wherein at least one of said computerized central communications facility and said other computerized central communications facilities further includes an audio communication device for communication with said computerized remote communications facility.	Figure 1 schematically illustrates communication devices, namely, phone 34 and speaker phone 20, located at remote facility 12 and central facility 14, respectively, for providing live audio communications between central communications facility and the remote facility. Further, the specification at page 14, lines 23-32 discloses: "As seen in FIG. 1, this equipment includes a modem 30, a digital computer 32 or other means for processing information, instructions or data, a phone 34 or other means for voice exchange or audio transmission ..."	Page 18, line 1

Claim:	Support in the '309 Application	Support in the Instant Application
35. The apparatus of claim 30, wherein said computerized central communications facility and at least one of said other computerized central communications facilities is further adapted to provide information relating to goods or services in the form of an audio or video presentation.	In reference to providing information to the customer at the remote facility, the specification at page 17, lines 14-17, discloses: "It may comprise audio and visual information related to those goods and services ..."	Page 24, line 1
36. The apparatus of claim 35, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.	The specification at the sentence bridging pages 10 and 11 discloses: "To facilitate such a technique the remote or central location may record the stopping point of the customer's last on-line presentation so that when contact is resumed an appropriate presentation continuing point may be ascertained."	Page 16, line 8
37. Cancelled		
38. The apparatus of claim 30, wherein said processor is further programmed to compile a customer profile based on the customer's search of the database and to provide targeted advertising based on said customer profile.		Page 13, line 6
39. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to present information of interest to said customer.	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer ..."; also, concerning downloading from the central communications facility, the specification at page 10, lines 25-28, discloses: "It may also be beneficial to quickly download a catalogue of desired or requested information to permit the customer to review leisurely ..."	Page 15, line 17
40. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable the customer to communicate with said central communications facility.	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer ..."; also, at page 10 lines 17-19, the specification discloses: "This would provide for the simple updating of any needed communications or other remote located software at the remote facility and ensure that each remote location will be compliant with future standards ..."	Page 15, lines 21-23
41. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer	Page 15, line 17; Title to the Invention "SYSTEM AND METHOD FOR FACILITATING TRANSACTIONS

Claim	Support in the '309 Application	Support in the Instant Application
remote communications facility, said software adapted to enable said customer to conduct a transaction using the information provided by said computerized central communications facility relating to goods or services.	..."; Title to the Invention "SYSTEM AND METHOD FOR FACILITATING TRANSACTIONS UTILIZING CENTRAL AND REMOTE LOCATIONS"	UTILIZING CENTRAL AND REMOTE LOCATIONS"
42. The apparatus of claim 30, wherein said processor is further programmed to provide an interactive presentation relating to goods or services.	15:31 (page:line) to 16:7	8:21 to 9:10
43. The apparatus of claim 42, wherein said interactive presentation includes an audio presentation in the form of a computerized voice.	The specification at page 19 lines 21-23 (19:21-23) discloses: "The system may also utilize voice synthesis to prompt or present options to the customer and may be used in tandem with visual prompts."	Page 11, line 13
<p>44. An apparatus for marketing at least one of goods or services, comprising:</p> <p>a first central communications facility having a first database of information relating to goods or services to provide to a customer at a computerized remote facility upon request, said first central communications facility adapted to enable said customer to select and contact a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request; and</p> <p>a communication device to enable said first central communications facility to communicate with said remote facility, said communication including transmitting said first set of information from said first central communications facility to said remote facility.</p>	<p>Page 9 line 32 to page 10 line 7</p> <p>Page 16 lines 3-7</p> <p>Page 1 lines 10-18; Page 3 line 32 to page 4 line 3</p>	<p>Incorporated by reference from '309 application; see also Page 20, line 2 Page 23, line 21</p> <p>Page 1, line 14</p>
45. The apparatus of claim 44, further comprising means enabling said central communications facility or said other central communications facilities to conduct a transaction with said remote communications facility.	Page 13, line 9 "In this respect the system may be used to execute a transaction..."	Page 19, line 14
46. Cancelled		
47. The apparatus of claim 44,	Not argued separately. Support not required.	

Claim	Support in the '309 Application	Support in the Instant Application
wherein said central communications facility or at least one of the other central communications facilities further provides a directory of providers of goods or services.		
48.	Same as claim 35	Same as claim 35
49. The apparatus of claim 48, wherein said audio presentation is adapted to have the form of a computerized voice.	Not argued separately. Support not required.	
50.	Same as claim 77	Same as claim 77
51. The apparatus of claim 44, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.	The specification at the sentence bridging pages 10 and 11 discloses: "To facilitate such a technique the remote or central location may record the stopping point of the customer's last on-line presentation so that when contact is resumed an appropriate presentation continuing point may be ascertained."	Page 16, line 8
52. The apparatus of claim 44, wherein said goods or services include financial services.	Page 2, line 32	Page 17, line 13
53. The apparatus of claim 44, wherein said goods or services include auctioning services.	Page 6, line 31	Page 7, line 8
54. The apparatus of claim 44, further comprising a software application for assisting the central communications facility to download a contract to the computerized remote location.	Page 22, line 31	Page 23, line 22 through page 24, line 20 "help himself in a self-service mode to databases... The information can also be in the form of contracts."
55-56. Cancelled		
57. The apparatus of claim 44, further comprising a software application adapted to assist the customer to download information relating to goods or services from said central communications facility.	Not argued separately. Support not required.	
58. The apparatus of claim 44, further comprising means for downloading software from the central communications facility to the computerized remote facility.	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer ..."	Page 15, line 17
59. A method for electronically transacting goods or services between a customer at a remote location and a plurality of providers of goods or services comprising: providing a first database associated with a first provider of goods or services and containing information relating to goods or	Title to the invention	Title to the invention Page 8, line 20

Claim	Support in the '309 Application	Support in the Instant Application
services, said first database adapted to direct the customer at a remote location to a second database associated with a second provider of goods or services and containing information relating to goods or services; and enabling a remote facility to browse each of said first or second databases for information relating to goods or services.	Page 9 line 32 to page 10 line 7 Page 16 lines 3-7	Incorporated by reference from '309 application; see also Page 20, line 2 Page 9, line 8
60. The method of claim 59, further comprising establishing communication with a third database containing information relating to goods or services.	Not argued separately. Support not required.	
61.	Same as claim 39	Same as claim 39
62.	Same as claim 41	Same as claim 41
63.	Same as claim 40	Same as claim 40
64. The method of claim 59, further comprising periodically updating each of said first and said second database.	Page 2, line 23-27	Page 13, line 4
65-66. Cancelled		
67.	Same as claim 77	Same as claim 77
68.	Same as claim 35	Same as claim 35
69. The method of claim 68, wherein said audio-visual presentation has the form of computerized voice.	Same as claim 43	Same as claim 43
70. Apparatus for marketing goods or services, comprising: a central communications facility to provide information relating to goods or services to a customer at a computerized remote facility, said central communications facility adapted to enable said customer to select and contact at least one other central communications facility providing information relating to goods or services; a first communication device associated with said central communications facility for providing live communication between the central communications facility and said computerized remote facility; a second communication device associated with said central	Page 8 line 1 Page 9 line 32 to page 10 line 7 Page 14 line 26 (e.g. phone 34) Page 14 line 24 (e.g. modem 30)	Page 1, line 16 Incorporated by reference from '309 application; see also Page 20, line 2 Page 20, line 5 Page 17, line 24

Claim	Support in the '309 Application	Support in the Instant Application
communications facility for providing a second simultaneous communication between said central communications facility and said computerized remote facility; and a database of information relating to goods or services accessible by said customer at said remote facility.	Page 9 line 32 to page 10 line 7	Page 8, line 20
71. The apparatus of claim 70, wherein said database of information relating to goods or services includes a directory of providers of goods or services.	Not argued separately. Support not required.	
72. The apparatus of claim 70, wherein said live assistance is interactive.	Page 20, line 9	Page 28, lines 18-23
73. The apparatus of claim 70, wherein said central communications device is adapted to download a software application to said computerized remote facility.	Not argued separately. Support not required.	
74. The apparatus of claim 73, wherein said software application is adapted to provide additional information relating to goods or services.	Not argued separately. Support not required.	
75. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to communicate with said central communications facility.	Not argued separately. Support not required.	
76. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to facilitate a transaction using the information provided by said central communications facility.	Not argued separately. Support not required.	
77. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to provide said customer with live assistance upon request.	The specification at page 15, line 31 – page 16 line 7, discloses: “At that time the customer may automatically review established presentations to better prepare him for a session with a representative and to educate the customer on the goods and services he is about to consider or at the customer's wish he may bypass these introductory presentations and immediately direct the session or request personal	Page 23, line 11

Claim	Support in the '309 Application	Support in the Instant Application
78.	assistance from a representative."	Same as claim 77
79. The apparatus of claim 44, wherein said first central communications facility further enables said customer to browse said first set of information relating to goods and service.	Page 16, lines 3-7	Page 9, line 8
80	Same as claim 79	Same as claim 79
81. The method of claim 59, further comprising enabling the remote facility to search said first database or said second database.	Page 21, lines 28-30	Page 22, line 14
<p>82. An apparatus for providing information relating to goods and services comprising:</p> <p>a first computerized central communications facility of a first provider linked to a plurality of other computerized central communications facilities providing information relating to goods and services, at least one of said plurality of other computerized central communications facilities associated with a second provider, and to a computerized remote facility adapted to have access to said plurality of other computerized central communications facilities;</p> <p>wherein at least one of said computerized central communications facilities is adapted to provide information to enable said remote facility to select and contact another one of said computerized central communications facilities.</p>	<p>The specification at page 1, lines 10-14</p> <p>page 10 lines 2-7; page 5 lines 4-11</p> <p>Figure 1, Page 9 line 32 to page 10 line 7</p>	<p>Page 1, line 14</p> <p>Page 1, line 14</p> <p>Figure 1; Incorporated by reference from '309 application; see also Page 20, line 2</p>
83. The apparatus of claim 82, wherein each of the plurality of central communications facilities is connected to a first central communications facility.	Page 6, line 33	Page 7, line 9
84. The apparatus of claim 82, wherein each of said plurality of central communications facilities is linked to at least one other central communications facility.	Page 6, line 33	Page 7, line 9

Claim	Support in the '309 Application	Support in the Instant Application
85. The apparatus of claim 82, wherein each of said central communications facilities is further adapted to provide information relating to at least one of goods or services.	Page 3 line 34 to page 4 line 3	Page, 8 line 20
86.	Same as claim 77	Same as claim 77
87. An apparatus for marketing goods and services, comprising: a central communications facility adapted to provide a set of information relating to goods or services to a customer at a computerized remote facility, said central communications facility further adapted to be accessible to said customer through information provided by at least one other central communications facility; and a communication device to enable said central communications facility to communicate with said remote facility, said communication including transmitting said set of information to said customer at said remote facility.	The specification at page 1, lines 10-14 Figure 1, page 3 line 34, sentence bridging pages 9 and 10 FIG. 1; Page 1 lines 10-18; paragraph bridging pages 14 and 15	Page 1, line 14 Figure 1; Incorporated by reference from '309 application; see also Page 20, line 2 Figure 1; Page 1, line 14; page 14, line 10
88. An apparatus to market goods or services over an electronic network, comprising: a first computerized central communications facility of a first provider linked to a second computerized central communications facility of a second provider and to a remote facility of a customer, said first computerized central communications facility having information relating to goods or services stored in a database, and a processor programmed to: receive from said customer a request to at least one of search, browse and access said database for information of interest; enable said customer to at least one of search, browse and access said database for information of interest;	The specification at page 1, lines 10-14 page 9 line 33 – page 10 line 7 page 21 lines 28-30; page 16, lines 3-7; page 18 line 25 page 21 lines 28-30; page 16, lines 3-7; page 18 line 25	Page 1, line 14 Figure 1; Incorporated by reference from '309 application; see also Page 20, line 2 Page 22, line 14; Page 29, line 2; page 8, line 23 Page 22, line 14; Page 29, line 2; page 8, line 23

Claim	Support in the '309 Application	Support in the Instant Application
<p>transmit said information of interest from said database to said computerized remote communications facility;</p> <p>direct said customer to said second computerized central communications facility, said second computerized central communications facility having information relating to goods or services stored in a database; and</p> <p>periodically update said database in said first or second computerized central communications facility.</p>	<p>FIG. 1, page 1 line 15</p> <p>Page 10 lines 3-5</p> <p>Page 2, line 23-27</p>	<p>Figure 1; page 1, line 19</p> <p>Incorporated by reference from '309 application; see also Page 20, line 2</p> <p>Page 13, line 4</p>
89. A first computerized central communications facility linked to a plurality of other computerized central communications facilities, said first computerized central communications facility comprising:	The specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."	Incorporated by reference from '309 application; see also Page 20, line 2
a database of information relating to goods or services	The specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through databases of goods and services."	Page 9, line 8
a communication device for communicating with a customer at a remote facility; and	Figure 1 schematically illustrates a communication device, a modem, for providing data communication between central communications facility and the remote facility. Further, the specification at page 14, lines 23-32: "As seen in FIG. 1, this equipment includes a modem 30...."	Figure 1; Page 17, line 24
<p>a processor programmed to:</p> <p>receive from said customer a request to search, browse or access said database</p> <p>enable said customer to at least one of search, browse or access said database for information of interest</p> <p>communicate said information of interest to said customer</p>	<p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>FIG. 1, page 1 line 15</p>	<p>Page 22, line 14; Page 29, line 2; page 8, line 23</p> <p>Page 22, line 14; Page 29, line 2; page 8, line 23</p> <p>Figure 1; page 1, line 19</p>

Claim	Support in the '309 Application	Support in the Instant Application
direct said customer to one of said other computerized central communications facilities that has information relating to goods or services in competition with at least one of said first computerized central communications facility or said other computerized central communications facilities.	<p>the sentence bridging pages 9 and 10; Referring to deficiencies of the prior art as compared with the embodiments of the invention, the specification, at page 6 lines 2-6, discloses: "Neither does Walker permit each remote facility to communicate with a variety of central facilities thus restricting the variety and competition for goods and services there offered..."; further, the specification at page 11 lines 20-32 discloses: "The reduction in costs associated with these products will then help create a greater variety of more competitive products for customers more likely to meet each customer's specific needs with greatly reduced overhead costs allowing the products to be much more competitive with other products and services ... The reduced capital requirements would also encourage smaller companies to compete. Many smaller companies currently concentrate on specific states or regions as they do not have the resources to develop products for many states. The result would be increased competition."</p>	Incorporated by reference from '309 application; see also Page 20, line 2
90. A first computerized central communications facility linked to a plurality of other computerized central communications facilities, at least one of said other computerized central communications facilities providing information relating to goods or services in competition with said first computerized central communications facility, the said first computerized central communications facility comprising:	<p>Referring to deficiencies of the prior art as compared with the embodiments of the invention, the specification, at page 6 lines 2-6, discloses: "Neither does Walker permit each remote facility to communicate with a variety of central facilities thus restricting the variety and competition for goods and services there offered..."; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."; further, the specification at page 11 lines 20-32</p>	Incorporated by reference from '309 application; see also Page 20, line 2
a database of information relating to goods or services	<p>The specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through databases of goods and services."</p>	Page 9, line 8
a communication device for communicating with a customer at a	Figure 1 schematically illustrates a communication device, a modem, for	Figure 1 (modem 30)

Claim	Support in the '309 Application	Support in the Instant Application
computerized remote facility; and	providing data communication between central communications facility and the remote facility. Further, the specification at page 14, lines 23-25: "As seen in FIG. 1, this equipment includes a modem 30, a digital computer 32..."	
<p>a processor programmed to: receive from said customer a request for information relating to goods or services enable said customer to at least one of search, browse or access said database for information relating to said goods or services, and communicate said information relating to said goods or services to said customer</p> <p>wherein said customer at said computerized remote facility can access information at said first computerized central communications facility and with at said at least one other competing computerized central communications facility by using software downloaded from said first computerized central communications facility or from at least one other computerized central communications facility.</p>	<p>The specification at page 3 line 34 – page 4 line 3; the specification at page 16, lines 3-7 page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>FIG. 1, page 1 line 15</p> <p>Page 9 line 32 to page 10 line 7</p> <p>The specification at page 10, lines 12-15</p>	<p>8:21 (page: line) to 9:2 Page 22, line 14; Page 29, line 2; page 8, line 23</p> <p>Figure 1; page 1, line 19</p> <p>Incorporated by reference from '309 application; see also Page 20, line 2</p> <p>Page 15, line 17</p>
91***	Not argued separately. Support not required.	
92.	Same as claim 32	Same as claim 32
93. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide employee recruiting information.	Page 23, line 33	Page 28 line 24 to page 29 line 4
94. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to verify the identity of said customer.	Page 14, line 15	Incorporated by reference from '309 application
95. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of	Page 6, line 27	Page 6, line 23 to page 7 line 4

Claim	Support in the '309 Application	Support in the Instant Application
housing.		
96. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer.	Page 24, line 18	Page 29, line 7
97. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a discount relating to said goods or services to said customer.	Page 24, line 19	Page 29, line 8
98. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to charge said customer a fee to obtain access to said information relating to goods or services.	Page 24, line 16	Page 29, line 5
99	Not argued separately. Support not required.	
100.	Same as claim 32	Same as claim 32
101.	Same as claim 93	Same as claim 93
102.	Same as claim 94	Same as claim 94
103.	Same as claim 95	Same as claim 95
104.	Same as claim 96	Same as claim 96
105.	Same as claim 97	Same as claim 97
106.	Same as claim 98	Same as claim 98
107. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide auctioning services.	Page 6, lines 31-34	Page 7, line 9
108. A marketing apparatus for use with a distant communications apparatus,	See title 'SYSTEM AND METHOD FOR FACILITATING TRANSACTIONS UTILIZING CENTRAL AND REMOTE LOCATIONS'; under Summary of the Invention see page 8 line 1(8:1) 'The method by which the transactions are facilitated reduces the costs associated with creating, <u>marketing</u> , administering, and selling these products and services...', page 6 line 32 '...a number of the remote locations may be concurrently linked with one or more central facilities or auction houses so that groups of customers at each remote or local auction facility may participate in the actual auction at one or more distant central facilities...' and page 8 line 15 '...transaction system and	See Title to the Invention, Page 7, line 8

Claim	Support in the '309 Application	Support in the Instant Application
	method where having earlier established communication between the remote and central locations the customer may use the electric communications facilities...’.	
said distant communications apparatus having means for storing a digital image of a good for sale, means for storing a data record of said good for sale,	See 'Field of the Invention' pg1 ‘...system and method for facilitating transactions utilizing central and remote facilities in concurrently or non concurrently transmitting voice or audio, <u>data</u> , and <u>images</u> ...to sell... <u>goods</u> ’; Page 4, line 1 “... information is centralized or stored centrally...”; see under Description of the Prior Art at page 3 line 34 ‘...the preferred embodiment of the present invention where the information is centralized or <u>stored</u> centrally’.	See 'Field of the Invention' page 1 Page 16, line 11 “... storage of all product information at the central facility...”; Page, 8 line 20
and means for transmitting such to said marketing apparatus.	See 'Field of the Invention' page 1 ‘...system... for facilitating transactions ... in ... <u>transmitting</u> voice or audio, data, and <u>images</u> ...’;	See 'Field of the Invention' page 1
said marketing apparatus comprising: a communications means for communicating with said distant communications apparatus, a processor operably connected to said communications means, said processor receiving a data record of a good for sale from said distant communications apparatus, said processor receiving an identification code from said distant communications apparatus;	See page 6 line 32 ‘...a number of the remote locations may be <u>concurrently linked with one or more central facilities</u> or auction houses so that groups of customers at each remote or local auction facility may participate in the actual auction at one or more distant central facilities...’; page 5 line 9; see 13:24 (page:line) for digital computer 18 which would encompass a <u>processor</u> ; see 16:12 using <u>identification code</u> to identify facility/apparatus.	Page 7, line 8 Field of the Invention; Figure 1 Page 14, line 19
a storage device operably connected to said processor, said storage device adapted to receive said data record of a good for sale, said data record containing an image of said good for sale and a written description of said good for sale;	See 3:35 (page:line) ‘... the present invention where the information is centralized or stored centrally and thereafter transmitted...’; 12:29 ‘... the present invention employing an array of means for transmitting and/or <u>receiving</u> information comprising <u>visual</u> , audio, and/ <u>an</u> <u>data</u> ...’; See 'Field of the Invention' page 1 ‘...system... for facilitating transactions ... in ... <u>transmitting</u> voice or audio, data, and <u>images</u> ...’; 18:1 ‘Information for home users when purchasing or renting movies, music, or other forms of entertainment might comprise: ratings, titles, product <u>descriptions</u> , artists or actors, articles written...’	Page, 8 line 20 See 'Field of the Invention' page 1 Page 26, line 9
presentation software operably connected to said storage device and a communications link, said presentation software providing via said communications link an	19:32 (page:line) ‘The transmitted <u>presentation</u> may utilize a well known spokesperson and give the appearance of a commercial or infomercial. On his own the customer may back up, fast forward, skip, or	Page 9, line 1

Claim	Support in the '309 Application	Support in the Instant Application
interface to said marketing apparatus for a customer, said presentation software providing said customer with access to said data record written description and said image of said good for sale;	jump to the specific product information he wishes..., 18:29 graphics <u>software</u> permitting customer to <u>access</u> data.	Page 28, lines 9-14
a transaction processor operably connected to said communications link and said storage device, said transaction processor adapted to enable customer to tender payment, and to approve said payment means; and	13:9 (page:line) 'the system may be used to execute a <u>transaction</u> ...', 11:8 'The system could thus provide a <u>means to...tender payment</u> for goods and services purchased.', 7:11 '...remit his payment.', 21:13 '... <u>approve</u> the intended purchase...".	Page 19, line 14 Page 25, line 8 19:8 (page:line); Page 29, line 11
a transaction record means operably connected to said transaction processor, said transaction record means transmitting to said customer in response to said purchase request a record of said transaction.	7:14 (page:line) "... <u>customer may be provided</u> a separate recording or printing device to provide the customer a <u>record</u> or receipt of <u>any transaction</u> he may perform..."	Incorporated by reference from '309 application; see also Page 23, line 14
109.	Same as claim 107	Same as claim 107
110. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to provide a coupon relating to said goods or services to said customer.	24:18 "...provide the customer with a printed coupon, rebate or voucher..."	Page 29, line 7
111	Not argued separately. Support not required.	
112. The marketing apparatus of claim 108 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.	10:3 "... permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it..."	Incorporated by reference from '309 application; see also Page 20, line 2
113. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.	16:28 "... where the central system would contact the remote facility to apprise potential customers of goods and services offered..."	Page 27, lines 14-21
114. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to initiate contact with said customer.	16:28 "... where the central system would contact the remote facility to apprise potential customers of goods and services offered..."	Page 27, lines 14-21
115. An apparatus to market and/or sell goods or services over an electronic network comprising:	As with Claim 30, the specification at page 1, lines 10-17 disclosed: "The present invention generally relates to... <u>system</u> and method for facilitating transactions..."); the specification at page 8 lines 1-4 discloses: "The method by which the transactions are facilitated reduces costs associated with creating, marketing,	Page 1, lines 14-22

Claim	Support in the '309 Application	Support in the Instant Application
	administering, and <u>selling</u> these products and services ...", 8:16 (page:line) "... <u>established communication</u> between the remote and central locations the customer may use the electronic communications facilities..."	
a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities,	the specification at page 6, line 31 – page 7 line 3 discloses: "For auction houses a number of the remote locations may be concurrently <u>linked with one or more central facilities...</u> "	Page 7, lines 8-10
each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to: receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information or interest; enable said customer to at least one of search, browse and access said database for information of interest; and transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility,	page 16, lines 3-7 "[t]he customer may <u>establish contact with the central facility's</u> equipment without the assistance of a representative and merely help himself in a self-service mode where he may <u>browse through databases</u> of goods and services."; page 21 lines 28-30; page 16, lines 3-7; page 18 line 25 page 21 lines 28-30; page 16, lines 3-7; page 18 line 25 FIG. 1, page 1 line 15	Page 8 line 20 Page 22, line 14; Page 29, line 2; page 8, line 23 Page 22, line 14; Page 29, line 2; page 8, line 23 Figure 1, page 1, line 19
wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding the rental of entertainment products.	18:1 (page:line) 'Information for home users when purchasing or <u>renting</u> movies, music, or other forms of entertainment might compromise: ratings, titles, product descriptions, artists or actors, articles written by critics or excerpts of, short segments of music or movie (samples or previews)..."	Page 26, lines 8-9
116. The apparatus of claim 115 wherein said rentals are entertainment products.	Page 18, line 3	Page 26, lines 8-9
117-120.(Non-elected)		
121. The apparatus of claim 115 wherein at least one of said	Page 7, line 22	Page 7, line 20

Claim	Support in the '309 Application	Support in the Instant Application
computerized central communications facilities is adapted to enable said customer to print said information.		
122. The apparatus of claim 115 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.	Page 9 line 33 through page 10 line 7	Incorporated by reference from '309 application; see also Page 20, line 2
123. A method for running application software in a computer network environment, comprising:	See title 'SYSTEM AND METHOD...', 12:30 '...means for transmitting and/or receiving information comprising visual, audio, and/or data between the financial services facility or location 12 and a customer at one of the respective remote facilities or locations 14.', and 10:8 '...application software...'	See Title to the Invention
providing at least one computerized remote communications facility and at least one computerized central communications facility coupled to said network environment, wherein said network environment is a hypermedia transmitted environment;	See Figure 1, 12:12 (page:line) 'The transactions facilitating system 10 includes at least one central facility 12, such as a financial services company, marketer, or manufacturer and at least one remote facility 14...', 20:4 'Information may be provided at various levels of detail through a technique known as <u>hypertext</u> .'	Figure 1 Page 28, line 16
executing, at said computerized remote communications facility, browsing application software that processes a first transmitted hypermedia document to identify visual and/or audio information in said hypermedia document caused to be transmitted from said computerized central communications facility for a customer at said computerized remote communications facility;	18:14 (page:line) 'The digital computer 18 stores suitable well-known off-the-shelf operations, communications and perhaps graphics software programs in its memory and is operational to translate the signals, electronic or otherwise, caused to be transmitted from the financial services facility 12 into such displayed, audio reproduced...'; page 16, lines 3-7 per browse; 20:4 'Information may be provided at various levels of detail through a technique known as <u>hypertext</u> .'	Page 21, line 4 Page 9, line 8 Page 28, line 15
utilizing said browsing application software to display, on a monitor at said computerized remote communications facility, at least a portion of a first transmitted hypermedia document received over said network from said computerized central communications facility, wherein a portion of said first hypermedia document is displayed within a first browsing application software window on said monitor at said computerized remote communications facility, wherein	18:27 (page:line) 'An example of a suitable graphics program is one commercially available under the trademark <u>Harvard Graphics</u> which may be used to reconstruct digitally transmitted information...'. According to its web site (see http://www.harvardgraphics.com/about.asp) Harvard Graphics ran on the Windows operating system which supports multiple document windows. 18:14 'The digital computer 18 stores suitable well-known off-the-shelf operations, communications and perhaps graphics software programs in its memory and is operational to translate the	Incorporated by reference from '309 application; see also Page 21, line 4

Claim	Support in the '309 Application	Support in the Instant Application
said computerized remote communications facility has downloaded application software from at least one of said computerized central communications facilities in a current or past session, wherein said browsing application software is operational to process information contained in said hypermedia document, and wherein said downloaded application software is operational to translate information contained in said transmitted hypermedia document in order to display in said first browsing application software window or otherwise reproduce said information at a computer for said customer at said computerized remote communications facility.	signals, electronic or otherwise, caused to be transmitted from the financial services facility 12 into such displayed, audio <u>reproduced</u> , recorded...'; 10:12 "...it may also be beneficial to <u>download certain software</u> from the central facility to the remote location to provide proper control and support for the customer...',	Page 15, line 17
124.	Same as claim 110	Same as claim 110
125.	Same as claim 107	Same as claim 107
126. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of vehicles.	Page 17, line 29; page 1, line 17	Page 24, line 9; page 1, line 21 (Field of the Invention)
127.	Same as claim 122	Same as claim 122
128.	Same as claim 113	Same as claim 113
129.	Same as claim 114	Same as claim 114
130. A method for enabling a remote user to preview a portion of a pre-recorded entertainment product from a network computerized central communications facility containing pre-selected portions of different pre-recorded entertainment products, using a computer, a computer display and a telecommunications link between the remote user's computer and the network computerized central communications facility, the method comprising the steps of:	16:34 to 18:6 (page:line) 'Having established contact ... with the customer's modem 16, digital computer 18, monitor 22 ...to transmit and provide helpful audio, video, and data information to the customer about the transaction being proposed ...Such information ...may comprise audio and visual information related to those goods and services ...Information for home users when purchasing or renting movies, music, or other forms of <u>entertainment</u> might comprise: ratings, titles, product descriptions, artists or actors, articles written by critics or excerpts of, short segments of music or movie (samples or previews)...'	Page 20, line 12 Page 26, line 8
a) using the remote user's computer to establish a telecommunications link to the network computerized central communications facility wherein the network computerized	16:3 (page:line) ...customer may establish contact with the central facility's equipment ...help himself in a self-service mode where he may browse through databases of goods and services...	23:21-24

Claim	Support in the '309 Application	Support in the Instant Application
central communications facility comprises (i) a central computer coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded entertainment product upon request by a remote user and (ii) a central storage device for storing pre-selected portions of a plurality of different pre-recorded entertainment products;		
b) choosing at least one pre-selected portion of the pre-recorded entertainment products from said central computer;	16:34 (page:line); 18:6; 16:3 as above	Page 26, lines 7-11
c) receiving the chosen pre-selected portion of the pre-recorded products; and	16:34 (page:line); 18:6; 16:3 as above	Page 26, lines 7-11
d) interactively previewing the received chosen pre-selected portion of the pre-recorded entertainment product.	16:34 (page:line); 18:6; 16:3 as above	Page 26, lines 7-11
131. The method of claim 130 wherein the method further comprises the step of transmitting user identification data from the remote user's computer to the central host server thereby allowing the central host server to identify and track the user's progress through the network computerized central communications facility.	16:13 (page:line) using identification code to identify facility; 14:15 verify customer identification; 20:23 monitoring customer's use	Incorporated by reference from '309 application. See also Page 14, line 19 and 13:15-16
132.	Same as claim 110	Same as claim 110
133.	Same as claim 107	Same as claim 107
134.	Same as claim 126	Same as claim 126
135	Same as claim 122	Same as claim 122
136	Same as claim 113	Same as claim 113
137	Same as claim 114	Same as claim 114
138. An apparatus for marketing goods and/or services, comprising: a computerized central communications facility providing information relating to goods and/or services to customers at a plurality of computerized remote facilities, each of said plurality of computerized remote facilities remote from and linked to said computerized central communications facility; and a database of information relating to said goods and/or services accessible to customers at said	6:31 (page:line) 'For auction houses a number of the remote locations may be concurrently linked with one or more central facilities or auction houses so that groups of customers at each remote or local auction facility may participate in the actual auction at one or more distant central facilities or houses.' page 16, lines 3-7; page 18 line 25	Page 7, line 8 Page 9, line 8

Claim	Support in the '309 Application	Support in the Instant Application
plurality of computerized remote facilities; wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers from said plurality of computerized remote facilities.	Page 7 line 6	Page 7, lines 8-15
139. The apparatus of claim 115 wherein said rentals are travel rentals.	Page 23, line 26; page 18 line 2	Page 15, line 11 and Page 26, line 8
140. An apparatus to market and/or sell goods or services over an electronic network comprising:	As with Claim 30, the specification at page 1, lines 10-17 disclosed: "The present invention generally relates to... <u>system</u> and method for facilitating transactions..."); the specification at page 8 lines 1-4 discloses: "The method by which the transactions are facilitated reduces costs associated with creating, <u>marketing</u> , administering, and <u>selling</u> these products and services...", 8:16 "... <u>established</u> <u>communication</u> between the remote and central locations the customer may use the <u>electronic</u> communications facilities..."	See Field of the Invention, Page 1, line 14
a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having	The specification at page 5, lines 8-10 discloses: "... whereas the present invention would with central storage permit each remote facility or location to communicate with an array of central facilities..."; the specification at page 6, line 31 – page 7 line 3 discloses: "For auction houses a number of the remote locations may be <u>concurrently linked with one or more</u> central facilities..."; the specification at page 7 lines 30-35 discloses: "The customer is to communicate with central facilities or locations comprising banks,... or in general any location for which a customer might wish assistance; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."	Fig 1; Page 7, line 8-10 Page, 8 line 20

Claim	Support in the '309 Application	Support in the Instant Application
<p>information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:</p> <p>receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;</p> <p>enable said customer to at least one of search, browse and access said database for information of interest; and</p> <p>transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;</p> <p>wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding entertainment rentals.</p>	<p>the <u>information</u> is centralized or stored centrally and thereafter transmitted to the customer at the remote location..."; the specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may <u>browse through databases</u> of goods and services.", the specification at page 21 lines 28-30 discloses: "The customer may respond to questions regarding his medical history and based upon a search of medical history either at the central facility..."</p> <p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>FIG. 1, page 1 line 15</p> <p>18:1 (page:line) 'Information for home users when purchasing or <u>renting</u> movies, music, or other forms of entertainment might compromise: ratings, titles, product descriptions, artists or actors, articles written by critics or excerpts of, short segments of music or movie (samples or previews)...'</p>	<p>Page 22, line 14; Page 29, line 2; page 8, line 23</p> <p>Page 22, line 14; Page 29, line 2; page 8, line 23</p> <p>Figure 1; page 1, line 19</p> <p>Page 26, line 7</p>
140. The apparatus of claim 140 wherein said rentals are movie rentals.	Page 18, line 2	Page 26, line 8
142	Same as claim 121	Same as claim 121
143	Same as claim 122	Same as claim 122

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(6) Grounds Of Rejection To Be Reviewed On Appeal

Included at the end of each issue enclosed in brackets is the item number used by the Examiner in his final action.

(1) *The issue is whether claims 115, 116, 121, 122, and 140-143 are unpatentable under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,734,823 (Saigh et al.) [Examiner's final action, item 4]*

(2) *The issue is whether claim 123 is unpatentable under U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,724,424 (Gifford). [5]*

(3) *The issue is whether claims 30-33, 36, 39-45, 47, 49, 51, 54, 57-64, 67, 79-85, 87-90, 92, and 100 are unpatentable under 35 U. S. C. 103(a) as being anticipated by "Services: AT&T Provides Compass" (AT&T) in view of U.S. Patent No. 4,992,940 (Dworkin). [7]*

(4) *The issue is whether claims 50, 72, 77, 78, and 86 are unpatentable under 35 U. S. C. 103(a) over AT&T and Dworkin in view of U.S. Patent No. 5,191,410 (McCalley et al.) [8]*

(5) *The issue is whether Claims 34, 35, 38, 48, 52, 53, 68, 69, 94, 95, 103, and 107 are unpatentable under 35 U. S. C. 103(a) over AT&T and Dworkin in view of U.S. Patent No. 5,347,632 (Filepp et al.) [9]*

(6) *The issue is whether Claims 70-76 are unpatentable under 35 U. S. C. 103(a) over AT&T in view of Dworkin and McCalley. [10]*

(7) *The issue is whether Claims 93, 96-98, 101, and 104-106 are unpatentable under 35 U. S. C. 103(a) over AT&T and Dworkin in view of Examiner's Official Notice. [11]*

(8) *The issue is whether Claims 108, 110-114 and 139 are unpatentable under 35 U. S. C. 103(a) over Saigh in view of U.S. Patent No. 5,576,951 (Lockwood). [12]*

(9) *The issue is whether Claim 109 is unpatentable under 35 U. S. C. 103(a) over Saigh and Lockwood in view of U.S. Patent No. 5,819,092 (Ferguson et al.) [13]*

(10) *The issue is whether Claim 139 is unpatentable under 35 U. S. C. 103(a) over Saigh in view of Lockwood. [14]*

(11) *The issue is whether Claim 124 is unpatentable under 35 U. S. C. 103(a) over Saigh. [15]*

(12) *The issue is whether Claim 125 is unpatentable under 35 U. S. C. 103(a) over Gifford in view of Ferguson. [16]*

(13) *The issue is whether Claim 126 is unpatentable under 35 U. S. C. 103(a) over Gifford in view of Lockwood. [17]*

(14) The issue is whether Claims 127-129 are unpatentable under 35 U. S. C. 103(a) over Gifford in view of Saigh. [18]

(15) The issue is whether Claims 130-132 and 135-137 are unpatentable under 35 U. S. C. 103(a) over Saigh in view of U.S. Patent No. 5,963,916 (Kaplan/Intouch). [19]

(16) The issue is whether Claim 133 is unpatentable under 35 U. S. C. 103(a) over Saigh and Intouch in view of Ferguson. [20]

(17) The issue is whether Claim 134 is unpatentable under 35 U. S. C. 103(a) over Saigh and Intouch in view of Lockwood. [21]

(18) The issue is whether Claim 138 is unpatentable under 35 U. S. C. 103(a) over Saigh in view of Ferguson. [22]

(19) The issue is whether Claim 30 is subject to the judicially created doctrine of obviousness-type double patenting as being unpatentable over Wren (US Patent No. 6,055,514) in view of AT&T and Dworkin. [24]

(20) The issue is whether Claims 108-114 and 130-143 are subject to the judicially created doctrine of obviousness-type double patenting as being unpatentable over Wren in view of Saigh, Ferguson, Intouch and Lockwood. [25]

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(7) Argument
(1). Issue 1, the rejection of claims 115, 116, 121, 122, and 140-143 over Saigh is unfounded.

claim 115 (independent, re: rentals)

Saigh is not prior art for and does not support the invention as claimed.

Support for applicant's claim as presented in his July 2004 amendment and in the above chart came from parent application no. 08/268,309 filed 6/29/94. In fact, all of applicant's claims are supported no later than June of 1994 in parent application 08/268,309.

In contrast, Saigh 5,734,823 was filed 7/25/96 as a child in a chain of filings.

From Saigh specification...

"This application is a continuation of U.S. patent application Ser. No. 08/367,056 filed Dec. 30, 1994, now abandoned, which is a continuation-in-part of the U.S. patent Ser. No. 08/296,120 filed Aug. 25, 1994, now abandoned, which is a continuation-in-part of Ser. No. 07/787,536 filed Nov. 4, 1991, now abandoned."

His earliest application -the only one that is prior (Ser. No. 07/787,536 filed Nov. 4, 1991)- contains no mention of rentals in his abstract, claims, SUMMARY OF THE INVENTION, drawings, DESCRIPTION OF THE DRAWINGS, nor anywhere else. Sections specifically directed at rentals did not exist ("2. Point of Rental Delivery System", etc.). Saigh is therefore not prior art for these claims (115, 116, 121, 122 and 140-143) and they are therefore, for at least these reasons, allowable.

Further, the Saigh reference does not teach...

"a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:
receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest..."

...as claimed by applicant. None of the cited figures or passages cited by Examiner support the invention as claimed.

In fact, in Saigh's original specification filed in 1991 he doesn't even provide for the customer to contact a single central facility to access a database. Rather, as in the abstract of his 1991 specification, the central storage facility merely provides "text of books, periodicals, magazines, etc. encoded on laser readable disks to the book bank facilities". This information is then transported, not transmitted. The claim is therefore, for this reason as well, allowable.

For at least these reasons, all dependent claims (116-122) are also allowable.

Claim 140 (independent, entertainment rentals)

As above, Saigh is not prior art for these claims. Further, in Saigh neither the cited figures or passages support...

...“each of said first or other computerized central communications facilities having a processor programmed to:

receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database”.

This claim is therefore, for at least these reasons, allowable.

For at least these reasons, all dependent claims (141-143) are also allowable.

(2). Issue 2, the rejection of claim 123 over Gifford is unfounded.

To be considered is whether downloading a document to be executed as a program that generates a purchase request and message anticipates using downloaded application software to display or reproduce 'information contained in a transmitted hypermedia document'.

Examiner asserts Gifford at column 5, lines 60-2 and/or Fig 3 supports...

“providing at least one computerized remote communications facility and at least one computerized central communications facility coupled to said network environment, wherein said network environment is a hypermedia transmitted environment;

executing, at said computerized remote communications facility, browsing application software that processes a first transmitted hypermedia document to identify visual and/or audio information in said hypermedia document caused to be transmitted from said computerized central communications facility for a customer at said computerized remote communications facility;

utilizing said browsing application software to display, on a monitor at said computerized remote communications facility, at least a portion of a first transmitted hypermedia document received over said network from said computerized central communications facility, wherein a portion of said first hypermedia document is displayed within a first browsing application software window on said monitor at said computerized remote communications facility, wherein said computerized remote communications facility has downloaded application software from at least one of said computerized central communications facilities in a current or past session, wherein said browsing application software is operational to process information contained in said hypermedia document, and wherein said downloaded application software is operational to translate information contained in said transmitted hypermedia document in order to display in said first browsing application software window or otherwise reproduce said information at a computer for said customer at said computerized remote communications facility."

In contrast, Gifford only states...

"In an alternate embodiment, document 22 is executed at 23 as a program. A program is defined as a set of instructions that can exhibit conditional behavior based upon user actions or the environment of the buyer computer. As is known to those skilled in the art, there are many techniques for representing programs as data. The program can be interpreted or it can be directly executed by the buyer computer. The program when executed will cause the buyer computer to interact with the user leading to the user purchase request 24, and the purchase message 25."

In Gifford then the downloaded program is only used to generate a 'user purchase request and message', not to 'translate information contained in a transmitted hypermedia document' as herein claimed. Nothing contained in Fig 3 supports this claimed limitation either.

For at least these reasons claim 123 is not anticipated by the reference and is therefore allowable.

(3). Issue 3, the rejection of claims 30-33, 36, 39-45, 47, 49, 51, 54, 57-64, 67, 79-85, 87-90, 92, and 100 over AT&T in view of Dworkin is unsupported.

To be considered is whether a reference that discloses a computer based directory which helps users find out "where research is located on the Internet" anticipates a computer system for selling and/or marketing goods and/or services where customers may from a list provided by a

first central facility select and contact another central facility to obtain additional product information.

Claim 30 (independent, select and contact)

AT&T does not teach the invention as claimed.

The AT&T summary is as follows...

"AT&T's on-line service, called the Directory of Directories, allows users free access to the Internet's first road map. The directory provides users with a one-stop shopping list of all the Internet's services and resources simply by conducting a word search. Users can access the directory of directories through Wide Area Information Service (WAIS), Archie, Telnet, Gopher, and electronic mail. WAIS, Archie, and Gopher are all network-based information tools that have been made popular by the Internet community. The service is free both to users and for Internet providers to list information about their service. According to industry analysts, this is the first time that users will be able to find out where information is stored on the Internet from a single location. The Directory of Directories is part of the Internet Network Information Centre (InterNIC) service. The InterNIC is a 3-member organization created by the National Science Foundation to provide network information services and is comprised of AT&T's Directory of Directories, Network Solutions' Registration Services, and General Atomics/Cerfnet's Information Services."

The Examiner fails to distinctly identify where the article's summary covers the invention as claimed: "An apparatus to market and/or sell goods or services over an electronic network".

AT&T's only use was to find out 'where research is located'. He thereby fails to fulfill his burden of proof.

Nothing in AT&T suggests their system was used to market and/or sell goods and/or services (abstract or otherwise) as herein claimed. The Examiner is therefore using hindsight to modify the reference in light of the inventor's application. Note that the AT&T directory was part of InterNIC, "an organization created by the National Science Foundation". It was about scientific research, not commerce. The Examiner himself was unable to locate a passage that taught the invention as claimed otherwise he would have cited it. The Examiner on copending serial number 09/504,374 was aware of the reference, but chose to largely ignore it. Please note that AT&T has 'users', whereas Wren has 'customers'. Wren is used to sell and market goods and services. AT&T is not.

Further, nowhere does AT&T teach...

"wherein at least one of said computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central

communications facilities permitting said customer to select and contact at least one other computerized central communications facility to request additional information relating to said goods or services”

The Examiner has failed to cite any passage within the reference that anticipates this limitation. AT&T is merely a directory of directories (“someone has put together all of the different directories into one place”) telling users where they may find information they are looking for (“users will find it helpful to know where to look to find out where the information is located”). It does not permit a customer to “select and contact at least one other computerized central communications facility”. The reference therefore does not teach the invention as claimed. The Examiner is using hindsight to meet the applicant’s claim.

For at least these reasons claim 30 is allowable.

Claim 31

Examiner improperly combines disparate references. Dworkin has a single central facility providing product information to multiple customers, whereas AT&T has multiple central facilities providing research information to multiple users. Dworkin is a one to many system. AT&T is a many to many system. These systems are therefore fundamentally different. Combining them would then alter their principal of operation. Such a combination is therefore improper.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claim 32

The cited passage of Dworkin does not teach the invention as claimed...

“wherein at least one of said computerized central communications facilities is further programmed to contact the customer and apprise said customer of goods or services offered or any special offerings”.

It only teaches “Item No. 4 on the main menu enables the user to view information on new products and special promotions”. In Dworkin it is then the customer who contacts the central facility, not the central facility that contacts the customer as herein claimed. Therefore, for at least this reason this claim is allowable.

Claim 33

The AT&T reference does not teach the invention as claimed, namely...

"wherein said computerized central communications facility and each of said other computerized central communications facilities are associated with competing providers of goods or services"

The Examiner fails to distinctly cite any passage that teaches the invention as claimed and thereby fails to fulfill his burden of proof.

Further, this claim depends on a claim that is deemed allowable. Therefore, for at least these reasons claim 33 is allowable.

Claim 36

The use of Official Notice is improper.

The Examiner uses Official Notice and declares the recited use of a 'presentation stopping point' as claimed to be obvious. However, this limitation in a related case (US Pat No. 6055514) was ruled to be novel and an inventive step. Please see Notice of Allowability dated November 10, 1999, page 3, item 6 in said case. Examiner is therefore using hindsight.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, this claim is therefore allowable.

Claim 39

The AT&T reference does not teach the invention as claimed, namely...

"wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to present information of interest to said customer"

It only supports downloading data (directory). The Examiner fails to distinctly cite any passage and thereby fails to fulfill his burden of proof.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, this claim is allowable.

Claim 41

The cited Dworkin passage does not teach the invention as claimed...

"wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable said customer to conduct a transaction using the information provided by said computerized central communications facility relating to goods or services"

It only supports downloading data (directory).

Further, this claim depends on a claim that is deemed allowable. For at least these reasons this claim is allowable.

Claim 43

This claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claim 44 (independent, select and contact)

The reference does not support the invention as claimed.

The AT&T reference was not for the purpose of marketing goods or services. Nothing in the reference supports the claimed limitation...

“An apparatus for marketing at least one of goods or services”

AT&T does not say it is used for marketing. The Examiner fails to distinctly cite any passage and thereby fails to fulfill his burden of proof. The Examiner is therefore using hindsight to modify the reference in light of the inventor’s application.

Further, the Examiner misstates Applicant’s claim. It had been previously amended (July 2004) to recite “said first central communications facility adapted to enable said customer to select and contact a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request”. AT&T does not teach this limitation as is now contained in the present claim.

Dworkin has a database, but it does not support “a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request” as is claimed. Dworkin has only one central facility from which a customer may request information. Even if it were proper to combine the references (we do not believe it is), one would still not meet the invention as claimed.

Therefore, for at least these reasons, this claim is allowable.

Claim 45

The Examiner improperly combines disparate references to meet this claim.

Dworkin has one central facility providing product information to multiple customers, whereas AT&T has multiple central facilities providing research information to multiple users. In Dworkin all product information is stored at the sole central facility. In AT&T research information is stored in multiple servers. Dworkin is a one to many system. AT&T is a many to many system. These systems are therefore fundamentally different. Combining them would then

alter their principal of operation and be contrary to Dworkin's teaching that all accessible information should be stored in a single central facility.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons this claim is allowable.

Claim 51

As noted above, the Office previously regarded the use of a 'presentation stopping point' (a limitation of this claim) as novel and inventive. Examiner is therefore using hindsight in his use of Official Notice.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claim 54

The cited Dworkin passage does not support the claimed limitation of "a software application for assisting the central communications facility to download a contract to the computerized remote location". Further, this claim depends on a claim that is deemed allowable.

For at least these reasons, this claim is allowable.

Claim 58

The AT&T reference does not teach the claimed limitation "means for downloading software from the central communications facility to the computerized remote facility". The Examiner fails to cite any specific portion of the reference to support his contention and therefore fails to meet his burden of proof. AT&T only supports downloading data (directory).

Further, this claim depends on a claim that is deemed allowable. For at least these reasons, this claim is allowable.

Claim 59 (independent)

The Examiner argues claim 59 is 'substantially similar' to claims 30 and 44. Since claims 30 and 44 are deemed allowable, so is claim 59.

Claims 61-64

The Examiner argues claims 61-64 are 'similar in scope' to claims 39-41. Since claims 39-41 are deemed allowable, so are claims 61-64.

Further, these claims depend on a claim that is deemed allowable and are therefore themselves allowable.

Claim 67

The Examiner argues claim 67 is 'similar in scope' to claim 42. Since claim 42 is deemed allowable, so is claim 67.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claim 79

Dworkin does not teach the invention as claimed.

Nothing in the cited Dworkin figures teaches the claimed limitation "wherein said first central communications facility further enables said customer to browse said first set of information relating to goods and service". In the cited figures Dworkin merely provides menus containing lists of options from which a customer may choose. He does not provide the functionality herein claimed, namely 'to browse'. [See MSN Encarta at http://encarta.msn.com/dictionary/_browse.html

3. transitive and intransitive

verb comput online **scan computer files**: to scan and view files in a computer database or on the Internet, especially on the World Wide Web

For at least this reason the claim is allowable.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claim 80

Similar arguments as in claim 79 above.

Claim 81

Dworkin does not teach the invention as claimed.

The cited Dworkin figures do not teach the claimed limitation "enabling the remote facility to search said first database or said second database". In the cited figures Dworkin merely provides menus containing lists of options from which a customer may choose. For at least that reason this claim is therefore allowable.

Further, this claim depends on a claim that is deemed allowable and is therefore itself allowable.

Claims 82-85

The Examiner argues claims 82-85 are 'similar in scope' to claims 30-33. Since claims 30-33 are deemed allowable, so are claims 82-85.

Further, these claims depend on a claim that is deemed allowable and are therefore themselves allowable.

Claims 87-90

The Examiner argues claims 87-90 are 'similar in scope' to claims 30-33. Since claims 30-33 are deemed allowable, so are claims 87-90.

Claims 92, 100

The Examiner argues claims 92 and 100 are 'similar in scope' to claim 32. Since claim 32 is deemed allowable, so are claims 92 and 100.

(4). Issue 4, the rejection of claims 50, 72, 77, 78, and 86 over AT&T and Dworkin in view of McCalley is unfounded.

Even if it is proper to combine these references (as established above it is improper to combine AT&T with Dworkin), each rejected claim is dependent on a claim that is deemed in condition for allowance. Therefore, for at least this reason each claim is allowable.

(5). Issue 5, the rejection of claims 34, 35, 38, 48, 52, 53, 68, 69, 94, 95, 103, and 107 over AT&T and Dworkin in view of Filepp is unfounded.

Claim 34

Even if it is proper to combine these references (as established above it is improper to combine AT&T with Dworkin), this claim is dependent on a claim that is deemed in condition for allowance. Therefore, for at least this reason this claim is allowable.

Claim 35

The proposed combination is improper and Filepp does not teach the invention as claimed.

The combination of Dworkin, AT&T and Filepp to meet this claim is as above improper as they teach away from one another. For example, Filepp teaches a single source of information at

column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to alter their principal of operation and be contrary to the teaching of Filepp.

Further, the cited Filepp passages only support that presentation data may contain codes for audio signals, videotext -which is the display of text on a video screen, and sounds as may be programmed to emit an audible of a particular pitch and duration such as a beep. None of these support the invention as claimed "adapted to provide information relating to goods or services in the form of an audio or video presentation".

Also, the rejected claim is dependent on a claim that is deemed in condition for allowance.

For at least these reasons the claim is allowable.

Claim 38

It is not proper to combine these references to meet this claim as Filepp teaches away from AT&T as established above. Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation and be contrary to the teaching of Filepp.

Further, this claim depends on a claim that is believed to be allowable. For these reasons this claim is also allowable.

Claim 48

The Examiner argues claim 48 is "substantially similar" to claim 35. Since claim 35 is deemed allowable, so should claim 48 be.

Claim 52

The combination of Dworkin, AT&T and Filepp as indicated above is improper. They teach away from one another. For example, Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation and be contrary to the teaching of Filepp.

Here again, the rejected claim is dependent on a claim that is deemed in condition for allowance. For at least these reasons the claim is allowable.

Claim 53

The reference does not support the invention as claimed.

Filepp's disclosure of "quotes and buy/sell orders for stocks and bonds" is not the same as providing "auctioning services". Utilizing the common meaning of the word as set forth in Webster's New Lexicon Dictionary publ. 1989, pg 61, the stock and bond market is clearly not an auction (i.e. a public sale at which the goods are sold to the highest bidder). See Appendix A.

Again, it is not proper to combine these references as Filepp teaches away from AT&T. For example, Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to change the principal of operation and be contrary to the teaching of Filepp.

Further, the rejected claim is dependent on a claim that is deemed in condition for allowance. For at least these reasons the claim is allowable.

Claim 68

The Examiner argues that claim 68 is similar in scope to claim 35. Since claim 35 is deemed allowable, and for at least that reason, so is claim 68.

Claim 69

The Examiner argues claim 69 is similar in scope to claim 36. However the claim 36 limitation of "recording a presentation stopping point" is not the same as the recited limitation of using computerized voice as in this claim. Therefore this claim is allowable.

Claim 94

The references are improperly combined.

It is believed the Examiner meant to cite Filepp, here and not Dworkin. Even if having the customer enter an access code was the same as verifying the identity of the customer, it is not proper to combine these references as Filepp teaches away from AT&T. Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to alter the principal of operation and be contrary to the teaching of Filepp.

Further, this claim depends on a claim that is deemed allowable. For at least these reasons this claim is allowable.

Claims 95 and 103

The reference does not teach the invention as claimed.

The Examiner is mistaken as to what Filepp discloses. The cited section discloses only that his system "provides information on a wide variety of topics, including, but not limited to news, industry, financial needs...". It does not "provide information about the sale or financing of housing" as Applicant claims.

Further and as previously pointed out, it is not proper to combine these references because Filepp teaches away from AT&T. Filepp teaches a single source of information as at column 6, line 41, whereas AT&T teaches multiple sources. To combine would be to alter the principal of operation.

Also, these claims depend on claims that are deemed allowable. For at least these reasons these claims are allowable.

Claim 107

The Examiner argues claim 107 is similar in scope to claim 53. Since claim 53 is deemed allowable, so is claim 107.

(6). Issue 6, the rejection of Claims 70-76 over AT&T in view of Dworkin and McCalley is unfounded.

Claim 70

This claim was amended in July 2004. As such it appears to have been misinterpreted. It was changed as follows:

In Claim 70, line 4, delete the words "direct said customer to at least one other central communication facility" and replace them with -- enable said customer to select and contact at least one other second central communication facility --.

Use of the limitation "select and contact" is not anticipated by any of the references as documented above.

Further, and as above, the Examiner improperly combines disparate references. Dworkin has one central facility providing product information to multiple customers, whereas AT&T has

multiple central facilities providing research information to multiple users. In Dworkin all product information is stored at the sole central facility. In AT&T research information is stored in multiple servers. They are structurally different systems. Combining them would therefore alter their principal of operation and be contrary to Dworkin's teaching that all accessible information should be stored in a single central facility.

For at least these reasons this claim is allowable.

(7). Issue 7, the rejection of claims 93, 96-98, 101, and 104-106 over AT&T and Dworkin in view of Examiner's Official Notice is unfounded.

For the reasons discussed fully above, the combination of AT&T and Dworkin is improper. Therefore, the combination of Official Notice with AT&T and Dworkin is improper.

Also, the use of Official Notice itself is highly questionable. According to the MPEP at 2144.03(A)...

While "official notice" may be relied on, these circumstances should be rare when an application is under final rejection or action under 37 CFR 1.113. Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well known.

As this application is under final action such a use then of Official Notice should be rare and only when the purported common knowledge is instantly unquestionable. As Applicant's system was not in existence before the date of his invention it is exceedingly difficult to see how a further modification by each of these dependent claims could be "capable of instant and unquestionable demonstration as being well-known". Applicant maintains such knowledge could not possibly have been so and that Examiner is once again using the Applicant's own disclosure to meet this claim through an improper application of Official Notice. Therefore, this rejection is unfounded.

Further, each claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons each claim is allowable.

(8). Issue 8, the rejection of claims 108, 110-114 and 139 over Saigh in view of Lockwood is unfounded.

Claim 108 (independent, similar to Woolston 265)

Saigh is not prior art.

Applicant's claim reciting in part "means for transmitting said digital image and data record to said marketing apparatus" is supported no later than June 1994 as established in the above chart. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant's above date contains no support for transmitting any product information. The cited figure didn't even exist. As per the Field of the Invention section in his November 1991 specification the product information was retrieved via laser discs, not via network.

For at least that reason, Saigh is therefore not prior art for this claim and it is allowable.

Claim 110

Saigh is not prior art nor does it support the invention as claimed.

In Saigh the cited passage (column 14, lines 21-25) does not support "provide a coupon relating to said goods or services to said customer" as Applicant claims. Permitting users to view "available discounts" does not provide them coupons. Claim 110 is therefore deemed allowable.

Further, as above, the only Saigh specification that predates inventor's disclosure doesn't even contain this "Promotional Delivery System" section found in Saigh's cited specification. Saigh is then not prior art for this claim.

Also, claim 110 depends on claim 108, which is deemed allowable. For at least these reasons, this claim is allowable.

Claim 112

Saigh is not prior art nor does it support the invention as claimed.

In the Saigh reference neither the figure cited nor anything in his disclosure supports the claimed limitation "wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility". The Examiner is using hindsight to modify the Saigh disclosure.

In fact, in Saigh's only specification that predates applicant's disclosure he fails to teach enabling the user to contact any central facility as all information was retrieved from local laser discs as established above. Saigh is therefore not prior art for this claim.

Further, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons claim 112 is allowable.

Claim 113

Saigh is not prior art nor does it support the invention as claimed.

In the Saigh reference the cited passage (column 14, lines 21-25) does not support the invention as claimed- "wherein at least one of said apparatus is configured to contact said customer".

Further, as above the only Saigh specification that predates inventor's disclosure doesn't even contain this "Promotional Delivery System" section found in the Saigh reference.

Therefore, Saigh is not prior art for this claim.

In addition, this claim is dependent on a claim that is deemed allowable.

For at least these reasons claim 113 is allowable.

Claim 114

Saigh is not prior art nor does it support the invention as claimed.

In the Saigh reference the cited passage (column 14, lines 16-25) does not support the invention as claimed- "wherein at least one of said apparatus is configured to initiate contact with said customer".

Further, as above the only Saigh specification that predates inventor's disclosure doesn't even contain this "Promotional Delivery System" section found in the Saigh reference.

Therefore, Saigh is not prior art for this claim.

Further still, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons claim 114 is allowable.

Claim 139

Even if this combination of references is motivated and proper, this claim depends on another, which is deemed allowable. Therefore, for at least this reason this claim is allowable.

(9). Issue 9, the rejection of claim 109 over Saigh and Lockwood in view of Ferguson is unfounded.

Ferguson is not prior art.

Applicant's claim is supported no later than June 1994 as established in the above chart.

The earliest possible date for the Ferguson reference is November 1994. Ferguson is therefore not prior art for this claim. For at least that reason the claim is allowable.

(10). Issue 10, the rejection of claim 139 over Saigh in view of Lockwood is unfounded.

Applicant asserts such a combination is not proper, as at the time of Applicant's invention Saigh was not networked whereas Lockwood was. Modifying either in such a fashion would therefore alter principle of operation.

Further, this claim depends on another, which is deemed allowable. Therefore, for at least these reasons this claim is allowable.

(11). Issue 11, the rejection of claim 124 over Saigh is unfounded.

Saigh does not support the invention as claimed and is not prior art.

In the Saigh reference the cited passage (column 14, lines 21-25) only supports permitting users to "access the promotional and commercial information including the dynamic viewing electronically of advertising, available discounts, commercials, special promotional events...". It does not support the invention as claimed- "wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to goods or services to said customer".

Further, Applicant's claim is supported no later than June 1994. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant's above date doesn't even contain this "Promotional Delivery System" section cited in the Saigh patent. Therefore, Saigh is not prior art for this claim.

Further still, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

(12). Issue 12, the rejection of claim 125 over Fergusson is unfounded.

Fergusson is not prior art.

As above, applicant's claim is supported no later than June 1994. The earliest possible date for the Fergusson reference is November 1994. Fergusson is therefore not prior art for at least this claim.

Further, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

(13). Issue 13, the rejection of claim 126 over Gifford in view of Lockwood is unfounded.

Even if this combination of references is proper, this claim depends on another, which is deemed allowable. Therefore, for at least this reason this claim is allowable.

(14). Issue 14, the rejection of claims 127-129 over Gifford in view of Saigh is unfounded.

Saigh does not support and is not prior art for the invention as claimed.

Claim 127

In the Saigh reference neither the figure (Fig 1) cited nor anything in his disclosure supports the claimed limitation “wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility”.

Further, Applicant’s claims are supported no later than June 1994 as noted above. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant’s above date does not even contain the drawing cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

Claim 128

In the Saigh reference the cited passage (column 24, lines 21-25) does not support the invention as claimed- “wherein at least one of said computerized central communications facilities is configured to contact said customer”.

Further, Applicant’s claims are supported no later than June 1994 as noted above. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant’s above date does not even contain this “Promotional Delivery System” section cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

Claim 129

In the Saigh reference the cited passage (column 14, lines 16-25) does not support the invention as claimed- “wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer”.

Further, Applicant's claims are supported no later than June 1994 as noted above. The Saigh reference filed July 1996 is a child in a chain of earlier applications. The only application in this chain that preceded applicant's above date does not even contain this "Promotional Delivery System" section cited by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons this claim is allowable.

(15). Issue 15, the rejection of claims 130-132 and 135-137 over Saigh in view of Kaplan/Intouch is unfounded

Claim 130

Intouch is not prior art for and Saigh does not teach the invention as claimed.

The Intouch 5,963,916 patent is a continuation in part of an original application filed beginning in 1990. The original application (subsequently issued as pat no. 5,237,157) did not support "interactively previewing the received chosen pre-selected portion of the pre-recorded entertainment product" such as over the Internet. That feature was added to his specification in 10/96. In fact, in his 916 patent Intouch admits in his SUMMARY OF THE INVENTION that "The present invention provides for an improvement to the '157 patent by integrating a network web site as the source of the pre-recorded products and the controlling software". In the '157 application the samples were stored on CD-ROM disks in the kiosk (see column 4, lines 39-60... "storage on CD ROM discs in the kiosk body 50"; and his Technical Field section "CD-ROM stored audio and video data".) In contrast, support Applicant presented in his July 2004 amendment and in the above support chart comes from parent application number 08/268,309 filed 6/29/94. Therefore, Intouch is not prior art.

Further, the Saigh cited passage "column 7, lines 5-11" does not support "preview a portion of a pre-recorded entertainment product from a network computerized central communications facility ...", as is claimed. It teaches a point of purchase system, but does not support 'previewing from a computerized central communications facility'. As established above the only prior Saigh specification used local storage.

In addition, the cited Saigh passages do not support...

a) "choosing at least one pre-selected portion of the pre-recorded entertainment products from said central computer" (column. 6, lines 4-31). Instead it only teaches permitting a

customer to retrieve a list of available titles from the local laser disc as documented above in the analysis of claim 115.

b) "receiving the chosen pre-selected portion of the pre-recorded products" (column 6, lines 4-31). Instead, it only teaches permitting a customer to retrieve a list of available titles from the local laser disc.

Therefore, claim 130 is for at least these reasons allowable.

Claim 131

Saigh does not support and is not prior art for the invention as claimed.

Saigh (column 10, lines 52-61) does not support "allowing the central host server to identify and track the user's progress through the network computerized central communications facility" as claimed.

Further, the Saigh specification that predates Applicant's disclosure does not contain the section relied on by the Examiner. Therefore, Saigh is not valid prior art.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

Claim 132

Saigh does not support and is not prior art for the invention as claimed.

Saigh (column 14, lines 15-25) does not support "wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer" as claimed.

Again, the Saigh specification that predates the Applicant's disclosure does not contain the "Promotional Delivery System" section relied on by the Examiner. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

Claim 135

Saigh is not prior art for or support the invention as claimed.

Neither the figure cited (Fig 1) in Saigh nor anything in his disclosure, supports the limitation "wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility" claimed herein. Fig 1 merely discloses a transactional network without

the specific functionality to "select and contact another". In fact, in his only specification that predates applicant's disclosure, Saigh fails to teach enabling the user to contact any central facility and is therefore not prior art.

Further, the drawing in question does not appear in Saigh's original 1991 application.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

Claim 136

Saigh is not prior art for or support the invention as claimed.

The Saigh cited passage (column 14, lines 15-25) does not support the invention herein claimed "wherein at least one of said computerized central communications facilities is configured to contact said customer". It only teaches the customer contacting the central information bank, not the central facility contacting the customer as here claimed.

Further, as above the Saigh specification which predates the Applicant's disclosure does not contain this "Promotional Delivery System" section. Therefore, Saigh is not valid prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

Claim 137

Saigh is not prior art for or support the invention as claimed.

The Saigh cited passage (column 14, lines 15-25) does not support the invention as claimed - "wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer".

Again, as above the only Saigh specification which predates inventor's disclosure does not contain this "Promotional Delivery System" section. Therefore, Saigh is not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

(16). Issue 16, the rejection of claim 133 over Saigh and Intouch in view of Ferguson is unfounded.

Ferguson is not prior art for the invention as claimed.

Applicant's claim is supported no later than June 1994, as above. The earliest possible date for the Ferguson reference is November 1994. Ferguson is therefore not prior art for this claim.

Also, this claim is dependent on a claim that is deemed allowable. Therefore, for at least these reasons the claim is allowable.

(17). Issue 17, the rejection of claim 134 over Saigh and Intouch in view of Lockwood is unfounded.

Even if this combination of references is motivated and proper (We do not believe it is as only Lockwood provides information via a network while Saigh and Intouch do so on local storage. These references are therefore incompatible.), this claim depends on another which is allowable. Therefore, for at least this reason this claim is allowable.

(18). Issue 18, the rejection of claim 138 over Saigh in view of Ferguson is unfounded.

Ferguson is not prior art for this claim.

Ferguson's earliest date is November 1994. In contrast, support Applicant presents above for all claims (including this limitation: "wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers") came from parent application number 08/268,309 filed 6/29/94. Ferguson is therefore not prior art. Hence, for at least these reasons the claim is allowable.

(19). Issue 19, the double patenting rejection of claim 30 over Wren in view of AT&T and Dworkin is improper.

This application is a sibling of the Wren 514 patent (copending). Both are children of the same parent application (Ser. No.08/268,309, filed June 29, 1994) and therefore this application is not subject to the Wren 514 patent other than for claiming the same subject matter.

Each of the claims cited for double patenting by the Examiner differ distinctly from the claims of the 514 patent. For example...

Claim 30 of the instant application is not the same as claim 1 of its related 514 patent. It includes the following limitation not found in the 514 patent claim...

"wherein at least one of said computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central communications facilities permitting said customer to select and contact at least one other computerized central communications facility".

Consequently, claim 30 is patentably distinct and therefore patentable over its copending 514.

(20). Issue 20, the double patenting rejection of claims 108-114 and 130-143 over Wren in view of Saigh, Ferguson, Intouch and Lockwood is improper.

Applicant's instant application shares the same priority date of his earlier 514 patent. Further, these claims are all patentably distinct from all claims in his 514 patent. For at least these reasons, double patenting does not apply and the claims should not be subject to any such restriction.

Specifically...

Claim 108 of the instant application is not the same as claim 1 of its copending Wren 514 patent. For example, claim 108 includes the limitation not found in the 514 patent claim of: "said processor receiving an identification code from said distant communications apparatus"

Claim 108 is then patentably distinct and therefore patentable over its copending Wren 514 patent. Likewise, as it is not subject to double patenting restrictions its dependent claims 109-114 should not be.

Claim 130 of the instant application is not the same as claim 1 of its copending Wren 514 patent. For example, claim 130 includes a limitation not found in the 514 patent claim of: "enabling a remote user to preview a portion of a pre-recorded entertainment product from a network computerized central communications facility "

Claim 130 is then patentably distinct and therefore patentable over its copending Wren 514 patent. Likewise, as it is not subject to double patenting restrictions its dependent claims 131-137 should not be.

Claim 138 of the instant application is not the same as claim 1 of its copending Wren 514 patent. For example, claim 138 includes a limitation not found in the 514 patent claim of: "wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers "

Claim 138 is therefore patentably distinct and therefore patentable over its copending Wren 514 patent.

Claim 139 is dependent on claim 115 which is deemed not subject to double patenting, therefore double patenting does not apply to claim 139.

Claim 140 of the instant application is not the same as claim 1 of its copending Wren 514 patent. For example, claim 140 includes a limitation not found in the 514 patent claim of:

“wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding entertainment rentals”

Claim 140 is then patentably distinct and therefore patentable over its copending Wren 514 patent. Likewise, as it is not subject to double patenting restrictions its dependent claims 141-143 should not be.

In conclusion, this application is copending with and therefore shares the same priority date as the Wren 514 patent. The inventions claimed herein are all patentably distinct from those in the 514 patent. Double patenting is therefore not an issue.

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JAN 25 2007

Examiner's response to arguments

All Examiner's assertions and arguments are responded to in Applicant's claim-by-claim arguments above.

Response to Notice of Non-Compliant Appeal Brief Mailed 12/29/2006

Applicant responds to Examiner's Notice by item number as follows:

(3) Examiner objects to the wording in section 3 of Applicant's Brief regarding status of claims 117-120. Applicant has modified this section to clarify the status of claims 117-120.

(5) At second paragraph page 4, Examiner remarks about section 5 and suggests deleting the first portion (concise explanation) on pages 6-7. However, this first portion contains the concise explanation required by the rules for each independent claim. The claims cited by Examiner as not included in that portion were not because they are dependent, thus no explanation is required.

Dependent Claims: Examiner objects to the support portion of section 5, citing dependent claims that are not included there. Applicant has amended part 5 to indicate for every claim in the case its support or an explanation of why it is not presented.

Claim 108: Examiner notifies of an error in one of the claim 108 cites. Applicant has corrected the referenced citation and thanks Examiner for bringing it to his attention.

Applicant notes Examiner had not previously notified Applicant of this citation error though it was initially filed with the Second Substitute Appeal Brief in August 2006. The previous citation error was in claim 30 from page 8 of the instant application (not page 9 as Examiner mistakenly contends), which was corrected in the 4th Substitute Appeal Brief. Therefore, this is not an error "repeatedly noted" by Examiner.

In an effort to avoid all other potential delays due to any further citation errors, Applicant has combed all citations and verified their accuracy.

Applicant also notes that none of the instant application references have or had more than 24 lines, including the original claim 108 cite. Therefore, Applicant politely informs Examiner his point about citing more than 24 lines is in error.

309 support: bottom page 4, Examiner suggests moving the support for the 309 parent application to an appendix. Applicant has herein done so to Appendix B. Applicant notes however that he did include support for said application in an appendix in his first substitute

appeal brief filed on March 13, 2006. However, in a telephone interview with the Examiner on November 22, 2006 the Examiner instructed the Applicant to move all support from the appendix into section 5. Applicant subsequently did so in his fourth substitute appeal brief filed December 1, 2006. To comply with seemingly contradictory instructions of the Examiner, Applicant has therefore placed support in section 5 and support for the parent application in said appendix. Applicant notes there appears to be no rule that would have required either modification of his brief. Yet, to speed the delivery of this case to the Board Applicant has complied with the wishes of the Examiner.

(7) Examiner states some dependent claims argued separately are not mentioned in section 5. All the dependent claims Examiner references are now included in section 5 and support is included where required. Accordingly and where appropriate, complementary arguments are found in section 7.

On page 5 Examiner notifies Applicant the Woolston 265 patent noted in his Brief in respect to claim 108 is not a reference in this appeal. Applicant understood that. However, as Applicant's claim 108 is based on a Woolston claim for which Applicant has an earlier priority date, Applicant felt he should make Examiner aware of such. This purpose was clearly stated when the claim was first introduced in July 2004. Applicant was not intimating Woolston was a reference.

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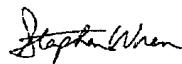
Summary

JAN 25 2007

All corrections and changes to this brief as required by the Examiner and the rules have been made. Applicant intends to be resubmit Non-elected claims 117-120 should generic claim 115 be allowed.

Applicant therefore respectfully requests entry of the after final amendment -wherein only dependent claims were amended- and allowance of all claims in response to the arguments presented herein.

Respectfully submitted,



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(8) Claims appendix

The following claims are pending and on appeal unless otherwise noted.

1-29. Cancelled

30. An apparatus to market and/or sell goods and/or services over an electronic network comprising:

 a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:

 receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;

 enable said customer to at least one of search, browse and access said database for information of interest; and

 transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;

 wherein at least one of said computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central communications facilities permitting said customer to select and contact at least one other computerized central communications facility to request additional information relating to said goods or services.

31. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to facilitate a transaction between said computerized central communications facility and said computerized remote communications facility.

32. The apparatus of claim 30, wherein at least one of said computerized central communications facilities is further programmed to contact the customer and apprise said customer of goods or services offered or any special offerings.

33. The apparatus of claim 30, wherein said computerized central communications facility and each of said other computerized central communications facilities are associated with competing providers of goods or services.

34. The apparatus of claim 30, wherein at least one of said computerized central communications facility and said other computerized central communications facilities further includes an audio communication device for communication with said computerized remote communications facility.

35. The apparatus of claim 30, wherein said computerized central communications facility and at least one of said other computerized central communications facilities is further adapted to provide information relating to goods or services in the form of an audio or video presentation.

36. The apparatus of claim 35, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.

37. Cancelled

38. The apparatus of claim 30, wherein said processor is further programmed to compile a customer profile based on the customer's search of the database and to provide targeted advertising based on said customer profile.

39. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to present information of interest to said customer.

40. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable the customer to communicate with said central communications facility.

41. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable said customer to conduct a transaction using the information provided by said computerized central communications facility relating to goods or services.

42. The apparatus of claim 30, wherein said processor is further programmed to provide an interactive presentation relating to goods or services.

43. The apparatus of claim 42, wherein said interactive presentation includes an audio presentation in the form of a computerized voice.

44. An apparatus for marketing at least one of goods or services, comprising:

a first central communications facility having a first database of information relating to goods or services to provide to a customer at a computerized remote facility upon request, said first central communications facility adapted to enable said customer to select and contact a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request; and

a communication device to enable said first central communications facility to communicate with said remote facility, said communication including transmitting said first set of information from said first central communications facility to said remote facility.

45. The apparatus of claim 44, further comprising means enabling said central communications facility or said other central communications facilities to conduct a transaction with said remote communications facility.

46. Cancelled

47. The apparatus of claim 44, wherein said central communications facility or at least one of the other central communications facilities further provides a directory of providers of goods or services.

48. The apparatus of claim 44, wherein said information relating to goods or services is an audio or a video presentation.

49. The apparatus of claim 48, wherein said audio presentation is adapted to have the form of a computerized voice.

50. The apparatus of claim 44, wherein said central communications facility is further adapted to provide live customer assistance upon request.

51. The apparatus of claim 44, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.

52. The apparatus of claim 44, wherein said goods or services include financial services.

53. The apparatus of claim 44, wherein said goods or services include auctioning services.

54. The apparatus of claim 44, further comprising a software application for assisting the central communications facility to download a contract to the computerized remote location.

55-56. Cancelled

57. The apparatus of claim 44, further comprising a software application adapted to assist the customer to download information relating to goods or services from said central communications facility.

58. The apparatus of claim 44, further comprising means for downloading software from the central communications facility to the computerized remote facility.

59. A method for electronically transacting goods or services between a customer at a remote location and a plurality of providers of goods or services comprising:

providing a first database associated with a first provider of goods or services and containing information relating to goods or services, said first database adapted to direct the customer at a remote location to a second database associated with a second provider of goods or services and containing information relating to goods or services; and

enabling a remote facility to browse each of said first or second databases for information relating to goods or services.

60. The method of claim 59, further comprising establishing communication with a third database containing information relating to goods or services.

61. The method of claim 59, further comprising downloading a software application to said remote facility, said software application adapted to present additional information relating to goods or services to the customer.

62. The method of claim 59, further comprising downloading a software application to the remote facility, said software application adapted to assist said customer in conducting a transaction using said first or said second database.

63. The method of claim 59, further comprising downloading a software application to the remote facility, said software application adapted to assist the customer to communicate with said first or said second database.

64. The method of claim 59, further comprising periodically updating each of said first and said second database.

65-66. Cancelled

67. The method of claim 59, further comprising providing live assistance to said remote facility to assist browsing said first or said second database.

68. The method of claim 59, further comprising providing an audio- visual presentation relating to said goods or services.

69. The method of claim 68, wherein said audio-visual presentation has the form of computerized voice.

70. Apparatus for marketing goods or services, comprising:

a central communications facility to provide information relating to goods or services to a customer at a computerized remote facility, said central communications facility adapted to enable said customer to select and contact at least one other central communications facility providing information relating to goods or services;

a first communication device associated with said central communications facility for providing live communication between the central communications facility and said computerized remote facility;

a second communication device associated with said central communications facility for providing a second simultaneous communication between said central communications facility and said computerized remote facility; and

a database of information relating to goods or services accessible by said customer at said remote facility.

71. The apparatus of claim 70, wherein said database of information relating to goods or services includes a directory of providers of goods or services.

72. The apparatus of claim 70, wherein said live assistance is interactive.

73. The apparatus of claim 70, wherein said central communications device is adapted to download a software application to said computerized remote facility.

74. The apparatus of claim 73, wherein said software application is adapted to provide additional information relating to goods or services.

75. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to communicate with said central communications facility.

76. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to facilitate a transaction using the information provided by said central communications facility.

77. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to provide said customer with live assistance upon request.

78. The apparatus of claim 44, wherein said first central communications facility is further adapted to provide live customer assistance upon request.

79. The apparatus of claim 44, wherein said first central communications facility further enables said customer to browse said first set of information relating to goods and service.

80. The apparatus of claim 44, wherein said second central communications facility enables said customer to browse said second set of information relating to goods or services.

81. The method of claim 59, further comprising enabling the remote facility to search said first database or said second database.

82. An apparatus for providing information relating to goods and services comprising: a first computerized central communications facility of a first provider linked to a plurality of other computerized central communications facilities providing information relating to goods and services, at least one of said plurality of other computerized central communications facilities associated with a second provider, and to a computerized remote facility adapted to have access to said plurality of other computerized central communications facilities;

wherein at least one of said computerized central communications facilities is adapted to provide information to enable said remote facility to select and contact another one of said computerized central communications facilities.

83. The apparatus of claim 82, wherein each of the plurality of central communications facilities is connected to a first central communications facility.

84. The apparatus of claim 82, wherein each of said plurality of central communications facilities is linked to at least one other central communications facility.

85. The apparatus of claim 82, wherein each of said central communications facilities is further adapted to provide information relating to at least one of goods or services.

86. The apparatus of claim 82, wherein at least one of said central communications facilities is adapted to provide live assistance to said remote facility.

87. An apparatus for marketing goods and services, comprising:

a central communications facility adapted to provide a set of information relating to goods or services to a customer at a computerized remote facility, said central communications facility further adapted to be accessible to said customer through information provided by at least one other central communications facility; and

a communication device to enable said central communications facility to communicate with said remote facility, said communication including transmitting said set of information to said customer at said remote facility.

88. An apparatus to market goods or services over an electronic network, comprising:
a first computerized central communications facility of a first provider linked to a second computerized central communications facility of a second provider and to a remote facility of a

customer, said first computerized central communications facility having information relating to goods or services stored in a database, and a processor programmed to:

receive from said customer a request to at least one of search, browse and access said database for information of interest;

enable said customer to at least one of search, browse and access said database for information of interest;

transmit said information of interest from said database to said computerized remote communications facility;

direct said customer to said second computerized central communications facility, said second computerized central communications facility having information relating to goods or services stored in a database; and

periodically update said database in said first or second computerized central communications facility.

89. A first computerized central communications facility linked to a plurality of other computerized central communications facilities, said first computerized central communications facility comprising:

a database of information relating to goods or services;

a communication device for communicating with a customer at a remote facility; and

a processor programmed to:

receive from said customer a request to search, browse or access said database,

enable said customer to at least one of search, browse or access said database for information of interest,

communicate said information of interest to said customer,

direct said customer to one of said other computerized central communications facilities that has information relating to goods or services in competition with at least one of said first computerized central communications facility or said other computerized central communications facilities.

90. A first computerized central communications facility linked to a plurality of other computerized central communications facilities, at least one of said other computerized central communications facilities providing information relating to goods or services in competition with said first computerized central communications facility, said first computerized central communications facility comprising:

a database of information relating to goods or services;

a communication device for communicating with a customer at a computerized remote facility; and

a processor programmed to:

receive from said customer a request for information relating to goods or services,

enable said customer to at least one of search, browse or access said database for information relating to said goods or services, and

communicate said information relating to said goods or services to said customer;

wherein said customer at said computerized remote facility can access information at said first computerized central communications facility and at said at least one other competing computerized central communications facility by using software downloaded from said first computerized central communications facility or from at least one other computerized central communications facility.

91. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer.

92. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

93. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide employee recruiting information.

94. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to verify the identity of said customer.

95. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of housing.

96. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer.

97. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a discount relating to said goods or services to said customer.

98. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to charge said customer a fee to obtain access to said information relating to goods or services.

99. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to initiate contact with said customer.

100. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

101. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide employee recruiting information.

102. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to verify the identity of said customer.

103. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide information about the sale or financing of housing.

104. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide a coupon relating to said goods or services to said customer.

105. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide a discount relating to said goods or services to said customer.

106. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to charge said customer a fee to obtain access to said information relating to goods or services.

107. The apparatus of claim 87, wherein at least one of said central communications facilities is configured provide auctioning services.

108. A marketing apparatus for use with a distant communications apparatus including means for storing a digital image and a data record of a good for sale within said distant communications apparatus and a means for transmitting said digital image and data record to said marketing apparatus; said marketing apparatus comprising:

a communication means for communicating with said distant communications apparatus; a processor operably connected to said communications means, said processor receiving the data record of a good for sale from said distant communications apparatus, said processor receiving an identification code from said distant communications apparatus;

a storage device operably connected to said processor, said storage device adapted to receive said data record of a good for sale, said data record containing an image of said good for sale and a written description of said good for sale;

presentation software operably connected to said storage device and a communications link, said presentation software providing , via said communications link, and interface to said marketing apparatus for a customer, thereby giving the customer access to said data record written description and said image of said good for sale;

a transaction processor operably connected to said communications link and said storage device, said transaction processor adapted to enable customer to tender payment, and to approve said payment means; and

a transaction record means operably connected to said transaction processor, said transaction record means transmitting to said customer in response to said purchase request a record of said transaction.

109. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to provide auctioning services.

110. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to provide a coupon relating to said goods or services to said customer.

111. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to provide information about the sale or financing of vehicles.

112. The marketing apparatus of claim 108 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

113. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

114. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to initiate contact with said customer.

115. An apparatus to market and/or sell goods or services over an electronic network comprising:

a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:

receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;

enable said customer to at least one of search, browse and access said database for information of interest; and

transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;

wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding rentals.

116. The apparatus of claim 115 wherein said rentals are entertainment products.
117. The apparatus of claim 115 wherein the products are movies.
118. The apparatus of claim 115 wherein the products are recorded performances.
119. The apparatus of claim 115 wherein the products are games.
120. The apparatus of claim 115 wherein the products are music.
121. The apparatus of claim 115 wherein at least one of said computerized central communications facilities is adapted to enable said customer to print said information.

122. The apparatus of claim 115 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

123. A method for running application software in a computer network environment, comprising:

providing at least one computerized remote communications facility and at least one computerized central communications facility coupled to said network environment, wherein said network environment is a hypermedia transmitted environment;

executing, at said computerized remote communications facility, browsing application software that processes a first transmitted hypermedia document to identify visual and/or audio information in said hypermedia document caused to be transmitted from said computerized central communications facility for a customer at said computerized remote communications facility;

utilizing said browsing application software to display, on a monitor at said computerized remote communications facility, at least a portion of a first transmitted hypermedia document received over said network from said computerized central communications facility, wherein a portion of said first hypermedia document is displayed within a first browsing application software window on said monitor at said computerized remote communications facility, wherein said computerized remote communications facility has downloaded application software from at least one of said computerized central communications facilities in a current or past session, wherein said browsing application software is operational to process information contained in said hypermedia document, and wherein said downloaded application software is operational to translate information contained in said transmitted hypermedia document in order

to display in said first browsing application software window or otherwise reproduce said information at a computer for said customer at said computerized remote communications facility.

124. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to goods or services to said customer.

125. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide auctioning services.

126. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of vehicles.

127. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

128. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

129. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer.

130. A method for enabling a remote user to preview a portion of a pre-recorded entertainment product from a network computerized central communications facility containing pre-selected portions of different pre-recorded entertainment products, using a computer, a

computer display and a telecommunications link between the remote user's computer and the network computerized central communications facility, the method comprising the steps of:

- a) using the remote user's computer to establish a telecommunications link to the network computerized central communications facility wherein the network computerized central communications facility comprises (i) a central computer coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded entertainment product upon request by a remote user and (ii) a central storage device for storing pre-selected portions of a plurality of different pre-recorded entertainment products;
- b) choosing at least one pre-selected portion of the pre-recorded entertainment products from said central computer;
- c) receiving the chosen pre-selected portion of the pre-recorded products; and
- d) interactively previewing the received chosen pre-selected portion of the pre-recorded entertainment product.

131. The method of claim 130 wherein the method further comprises the step of transmitting user identification data from the remote user's computer to the central host server thereby allowing the central host server to identify and track the user's progress through the network computerized central communications facility.

132. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer.

133. The method of claim 130 wherein said network comprises multiple computerized

central communications facilities and wherein at least one of said computerized central communications facilities is configured to provide auctioning services.

134. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of vehicles.

135. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

136. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.

137. The method of claim 130 wherein said network comprises multiple computerized central communications facilities and wherein at least one of said computerized central communications facilities is configured to initiate contact with said customer.

138. An apparatus for marketing goods and/or services, comprising:
a computerized central communications facility providing information relating to goods and/or services to customers at a plurality of computerized remote facilities, each of said plurality of computerized remote facilities remote from and linked to said computerized central communications facility; and

a database of information relating to said goods and/or services accessible to customers at said plurality of computerized remote facilities;

wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers from said plurality of computerized remote facilities.

139. The apparatus of claim 115 wherein said rentals are travel rentals.

140. An apparatus to market and/or sell goods or services over an electronic network comprising:

a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:

receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;

enable said customer to at least one of search, browse and access said database for information of interest; and

transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;

wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding entertainment rentals.

141. The apparatus of claim 140 wherein said rentals are movie rentals.

142. The apparatus of claim 140 wherein at least one of said computerized central communications facilities is adapted to enable said customer to print said information.

143. The apparatus of claim 140 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.

(9) Evidence Appendix

None.

(10) Related Proceedings Appendix

None.

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Appendix A (page 1)

THE
NEW LEXICON
WEBSTER'S
DICTIONARY
OF THE ENGLISH LANGUAGE

1989 EDITION

LEXICON PUBLICATIONS, INC.
NEW YORK

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Appendix A (page 2)

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Appendix A (page 3)

atto-

Labour party (1906-55), deputy prime minister (1945-5), and prime minister of the first major Labour government (1945-51). His government nationalized the basic industries, greatly expanded the welfare state, ended the Palestine mandate and control of India, rearmed Britain against Communism and strengthened ties with the U.S.A.

atto-combining form meaning one thousandth of a standard unit or 10^{-4} (0.0000000000000001)

attorney (at'or-nē) n. a person who has legal authority to act on behalf of another, *power of attorney*; legal agent qualified to act for someone in legal proceedings [cf. "DISTRICT ATTORNEY" (O.F. *atout*, one appointed) + *attorney* (O.F. *atout*, 15th c.) pl. *attorneys* of law, a lawyer, attorney general, pl. attorneys general, attorney general the principal law officer of a nation, who represents the nation in all cases which involve public rights, and is the government's chief legal adviser, elected by every executive government in the U.S.A. he heads the department of justice

attract (atrak'chən) v. to draw towards itself or oneself, cause to move towards itself, magnets attract, *insect attracts wader* [to appear lovely or pleasing to the mind and senses] to cause to center on itself, direct towards itself or oneself, the play attracted a lot of notice [fr. L. *attractu* (*attractus*), to draw in]

attracted (atrak'chən) a. the power or act of attracting [a drawing power, pliancy or ability or attraction] the force, due to gravitational, magnetic, electric or other effects, causing or tending to cause two bodies to approach one another [fr. L. *attractu* (*attraction*)]

attractive (atrak'tiv) adj. charming, good-looking, pleasant, enticing, an attractive idea [fr. *attractu*]

attraction (atrak'shən) n. persistent attraction (weird, like)

attribute (atrrib'yoōt) n. a quality proper to or characteristic of a person or thing, *hardness is an attribute of steel, reason is an attribute of man*; a symbol often associated with a person or thing, *the sword and scales are attributes of Justice* [logic] an essential quality [gram.] a word or phrase used adjectively 2. v.t. *attribut* pres. part. *attribut*ing past. *attributed* and past part. *attributed* to consider (something) as being proper to or belonging to a person or thing [a quality (a thing) as being ascribable to a cause, he attributes his poverty to her negligence] 3. adj. [gram.] of an adjective or other modifier preceding the word it modifies, e.g. in 'a wrong answer', 'wrong' is attributive, but in 'your answer is wrong', 'wrong' is predicative 2. n. an attributive word [fr. L. *attributu*]

attrition (atrīshən) n. a wearing away by loss or attrition, *exhaustion by a constant loss of strength or of resistance* [fr. L. *attritio*] a violent or protracted series of attacks, *war for sin* [the punishment of the offenses of God but on part of punishment or disgrace] normal reduction, esp. by death, retirement, graduation, the reduction of the effectiveness of a force caused by loss of personnel and material [fr. L. *attritio* (*attritio*)]

attrition subfield (milit.) in naval mine warfare, a field intended primarily to cause damage to enemy ships

attrite (atrīt) v.t. pres. part. *attrituring* and past part. *attritured* to bring (a musical instrument) into harmony, to tune [to make the thing or person harmonious, agreeable, affine to the mood of your audience]

ATV (atv'yoō) n. all-terrain vehicle [av. (nord.) Asian flu virus]

Atwood (atwud) Margaret (1939-), Canadian novelist and poet. Her works include the poetry volumes 'The Circle Game' (1964) and 'Selected Poems' (1978) and novels 'Surfacing' (1972), 'Life Before Man' (1980), 'Bodily Harm' (1982), 'Second Words' (1984), and 'The Handmaid's Tale' (1986)

CHINESE PRONUNCIATION KEY: (a) e; cat; o; ear; o; fawn; e; snake; (e) e; hen; i; sheep; i; deer; u; bear; (i) i; fish; ai; tiger; u; bird; (u) u; cow; ou; goat; u; poor; o; royal; u; duck; u; bull; u; goose; u; bacillus; ju; cube; a; lach; o; fish; e; boar; u; Zen; j; carriage; a; savage; e; orangutang; i; yak; i; fish; u; fach; i; rabbit; u; reddish. Complete pronunciation key appears inside front cover.

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Atwood's machine (atwudz) an apparatus used to study laws of dynamics and gravitation, consisting of a light frictionless wheel over which is passed a light string supporting at its ends two masses whose small differences provided an accelerating force for the system [after George Atwood (1746-1807), English physicist]

atypical (at'ipik'l) adj. not like the regular type

Atu (chem.) gold [fr. L. *aurum*]

au-beads (au'beads) *au-bead* n. a morning serenade [F.]

Aube (aub) a department (area 2,326 sq. miles, pop. 1,085,000) in N.E. France, in the southeast. Pref. *Crécy-en-Valois* ("CHAMPAGNE-BURGUNDY"). Chief town: Troyes.

Auber (au'ber), Georges Frédéric (1782-1871) French composer of opera, e.g. 'Fra Diavolo' (1830)

au-beer-ing (au'ber-ing) (aubergine) n. (Br.) the fruit of the eggplant [F.]

au-breast (abr'is) n. a member of *An briost*, Fairies, Crustaceans, a *giant* [folklore] person, animal, plants, etc., persons whose colors range through pinks, reds and mauves, commonly green in rock gardens and borders, after Claude Aubriet (c. 1665-1742), French painter

Aubrey (aubrē), John (1626-97), English author and antiquarian. His 'Brief Lives' (edited 1898) contains vivid character sketches and anecdotes, chiefly of contemporaries

au-burn (au'ber-n) 1. adj. reddish-brown (temp. of hair) 2. n. the color sanguine [O.F.]

Aubusson (aubu'sōn) a French tapestry-weaving and carpet-making center (pop. 7,000) on the Creuse.

Aucassin and Nicolette (aukăs'ēn, nikălēt) one of the chief works of medieval French literature, a love story told in alternate song and recitative in eight, humorous style.

Auckland (au'klənd) (shēn) (area 28,420 sq. miles, pop. 815,768) of North Island, New Zealand. Products: butter, wool, mutton, citrus fruit, newspaper, forest products, coal; its capital (pop. 150,708), the largest city and chief port of New Zealand. Industries: dairy processing, timber, clothing, chemicals, engineering, steel and aluminum processing, shipbuilding. Founded in 1840, it was the national capital until 1865. Name 'Auckland' (au'klənd) is of Maori origin, meaning 'a turbulent sea'.

Auditor (au'ditōr) 1. n. a public sale at which the goods are sold to the highest bidder [an offer to give something to whoever will pay the most] [cards, esp. auction bridge] the bridge which the players make to establish trump [fr. DUTCH AUDITION 2. v.t. to sell by auction [fr. L. *auctio* (*auctiōn*)]

audition bridge (cards) an early variety of bridge in which tricks over contract count towards game (cf. CONTRACT BRIDGE)

auditorium (au'ditōrē-əm) n. the place where a person who attends a lecture, or lecture course, without aiming to obtain the attached credit [auditorial (*auditor*), *auditorial*) adj. [A.F. *auditor*]

auditorium (au'ditōrē-əm, *auditorium*) n. the part of a theater or movie theater etc. in which the audience sits [a lecture hall or assembly room [L.]

auditory (au'ditōrē) adj. relating to the sense of hearing [fr. L. *auditorius*] auditory means the channel leading from the outer ear to the ear drum

audit trail (computer) error-finding technique that traces dataflow from input to output

Audubon (audōn), John James (1785-1851), American naturalist and bird painter. The 'Birds of America' was originally published 1827-33 and 'Ornithological Biography' 1831-50.

Auer (au'ər), Karl, Baron von Weisbach (1858-1929), Austrian chemist. He studied the rare earths and the alloy ferrocerium, used for flints for lighters, and invented the gas mantle

Aufklärung (aufklăr'ung) the Enlightenment (ENLIGHTENMENT v.t.)

Augean stables (aujē'ən) (Og, mythol.) the stables in which King Aegeus of Athens had 3,000 oxen. The herd was never cleaned out for years and Hercules had to do it as one of his labors. He did the job in one day, by diverting the River Alpheus to sluice out the stables (URGENCIES)

augend (əg'end) n. (math.) the quantity to which an addend is added to form a sum [fr. L. *augendu* fr. *augendu* *augendus* of *augetu*, to increase]

auger (au'jər) a. a tool, larger than a gimlet, for boring holes in wood [any tool similar in shape and principle for boring holes or drilling (e.g. into the ground)] [O.E. *afagur*, a tool for boring the nave of a wheel (a *naugur* being separated as an auger)]

aughi, oughi (əg'hi) n. *archaic* anything [O.E. *auhī* fr. *ā*, over + *uhī*, whit, thing]

Augier (au'jēr), Guillaume Victor Emile (1820-89) French dramatist, poet and novelist.

Augier's 'La Servante de M. Poirier' (with Sandouville), and 'Le Père Martin' (with Labiche). He also wrote many dramas on social themes.

Augier

after independence in Latin American countries [Span. - hearing]

audible (aud'əbl) 1. adj. (of spiritualistic, psychic or ghostly happenings) heard; as opposed to seen or felt 2. n. *psychic* a person whose mind and body apparently communicate with their pictures or movements [fr. L. *audire*, to hear]

audio (əd'yoō) 1. adj. of electronic apparatus using audio frequencies [of or relating to sound broadcasting, or to sound transmission or reception in television] 2. n. the part of television, or of television equipment, concerned with sound (cf. VIDEO) [sound transmission or reception in broadcasting] [fr. audio, combining form, *audire* (audire) 1. adj. of electronic apparatus using audio frequencies]

audio frequency the frequency of an oscillation which produces an audible sound [a frequency lying between 20 and 20,000 cycles per second [fr. L. *audire*, to hear]

audio-lingual (əd'yoō-lin'gwal) adj. of speech and sounds

audio-meter (əd'yoō-mētər) n. an electrical instrument which produces a range of notes of selectable frequency and intensity, by which hearing can be tested [fr. L. *audire*, to hear + *metr*]

audio-ophile (əd'yoō-fəfēl) n. a high-fidelity hobby

audio tape sound recording on magnetic tape

audio-typing (əd'yoō-tip'ing) n. typewriting performed from tape recordings —audiotyping

audiovisual (əd'yoō-vyoo'shəl) adj. (television, education etc.) relating to both sound and sight

audit (au'dit) 1. n. a full check and examination of accounts [books] 2. v.t. to make such an examination of accounts [books] 3. v.t. to examine account books in such a way [fr. L. *auditus*, hearing]

audition (au'ditōn) 1. n. a trial performance in which a prospective employer assesses an actor, singer etc. in the sense of *act or hearing* 2. v.t. to submit (candidates) in an audition 3. v.t. to compete in an audition [fr. L. *auditiū* (*auditionis*), *auditive* (*auditiv*)]

auditive (au'ditiv) adj. auditory [fr. *auditor*]

auditor (au'ditōr) n. a person who makes an audit either professionally or in an amateur, *auditor capacity* [a listener, e.g. to be enabled to a person who attends a lecture, a lecture or lecture course without aiming to obtain the attached credit —auditorial (*auditor*), *auditorial*) adj. [A.F. *auditor*]

auditorium (au'ditōrē-əm, *auditorium*) n. the part of a theater or movie theater etc. in which the audience sits [a lecture hall or assembly room [L.]

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auditory canal (au'ditōrē kān'əl) the auditory meatus the channel leading from the outer ear to the ear drum

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(1820-89) French dramatist, poet and novelist.

Augier's 'La Servante de M. Poirier' (with Sandouville), and 'Le Père Martin' (with Labiche). He also wrote many dramas on social themes.

Appendix B

Support for the claims may be found in parent application Ser. No.08/268,309, filed June 29, 1994 as below.

Claim	Support in the '309 Application
1-29. Cancelled	
30. An apparatus to market and sell goods or services over an electronic network comprising:	The specification at page 1, lines 10-17 (1:10-17) discloses: "The present invention generally relates to . . . system and method for facilitating transactions. . . ."; the specification at page 8 lines 1-4 discloses: "The method by which the transactions are facilitated reduces the costs associated with creating, marketing, administering, and selling these products and services. . . ."
a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities,	The specification at page 5, lines 8-10 discloses: "... whereas the present invention would with central storage permit each remote facility or location to communicate with an array of central facilities. . . ."; the specification at page 6, line 31 – page 7 line 3 discloses: "For auction houses a number of the remote locations may be concurrently linked with one or more central facilities. . . ."; the specification at page 7 lines 30-35 discloses: "The customer is to communicate with central facilities or locations comprising banks, . . . or in general any location from which a customer might wish assistance"; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."
each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:	The specification at page 3 line 34 – page 4 line 3 discloses: "... unlike the preferred embodiment of the present invention where the information is centralized or stored centrally and thereafter transmitted to the customer at the remote location. . . ."; the specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help

Claim	Support in the '309 Application
receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;	himself in a self-service mode where he may browse through databases of goods and services.”; the specification at page 21 lines 28-30 discloses: “The customer may respond to questions regarding his medical history and based upon a search of medical history either at the central facility....”
enable said customer to at least one of search, browse and access said database for information of interest; and	
transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;	FIG. 1, page 1 line 15
wherein at least one of said first or other computerized central communications facilities is adapted to provide to said customer at said computerized remote facility a list of computerized central communications facilities permitting said customer to select and contact at least one other computerized central communications facility to request additional information relating to said goods or services.	The specification at page 9 line 33 – page 10 line 7 discloses: “... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services.”
31. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to facilitate a transaction between said computerized central communications facility and said computerized remote communications facility.	The specification at page 7 line 30 – page 8 line 1 discloses: “The customer is to communicate with central facilities or locations ... from which a customer might wish assistance in facilitating a transaction.”; the specification at page 8 lines 17-20 discloses: “...customer may use the electronic communications facilities and equipment at the remote location to contact a financial services company or some other central facility to facilitate a transaction...”
32. The apparatus of claim 30, wherein at least one of said computerized central communications facilities is further programmed to contact the customer and apprise said customer of goods or services offered or any special offerings.	The specification at page 16 lines 24-30 discloses: “... the central facility or its representative may have occasion to initiate contact with a given remote facility. An example would be for use in a public or private location where the central system would contact the remote facility to apprise potential customers of goods and services offered.”
33. The apparatus of claim 30, wherein said computerized central communications facility and each of	Referring to deficiencies of the prior art as compared with the embodiments of the invention, the specification, at page 6 lines 2-

Claim	Support in the '309 Application
said other computerized central communications facilities are associated with competing providers of goods or services.	6, discloses: "Neither does Walker permit each remote facility to communicate with a variety of central facilities thus restricting the variety and competition for goods and services there offered..."; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."; further, the specification at page 11 lines 20-32 discloses: "The reduction in costs associated with these products will then help create a greater variety of more competitive products for customers more likely to meet each customer's specific needs with greatly reduced overhead costs allowing the products to be much more competitive with other products and services ... The reduced capital requirements would also encourage smaller companies to compete. Many smaller companies currently concentrate on specific states or regions as they do not have the resources to develop products for many states. The result would be increased competition."
34. The apparatus of claim 30, wherein at least one of said computerized central communications facility and said other computerized central communications facilities further includes an audio communication device for communication with said computerized remote communications facility.	Figure 1 schematically illustrates communication devices, namely, phone 34 and speaker phone 20, located at remote facility 12 and central facility 14, respectively, for providing live audio communications between central communications facility and the remote facility. Further, the specification at page 14, lines 23-32 discloses: "As seen in FIG. 1, this equipment includes a modem 30, a digital computer 32 or other means for processing information, instructions or data, a phone 34 or other means for voice exchange or audio transmission ..."
35. The apparatus of claim 30, wherein said computerized central communications facility and at least one of said other computerized central communications facilities is further adapted to provide information relating to goods or services in the form of an audio or video presentation.	In reference to providing information to the customer at the remote facility, the specification at page 17, lines 14-17, discloses: "It may comprise audio and visual information related to those goods and services ..."

Claim	Support in the '309 Application
36. The apparatus of claim 35, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.	The specification at the sentence bridging pages 10 and 11 discloses: "To facilitate such a technique the remote or central location may record the stopping point of the customer's last on-line presentation so that when contact is resumed an appropriate presentation continuing point may be ascertained."
37. Cancelled	
38. The apparatus of claim 30, wherein said processor is further programmed to compile a customer profile based on the customer's search of the database and to provide targeted advertising based on said customer profile.	
39. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to present information of interest to said customer.	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer ..."; also, concerning downloading from the central communications facility, the specification at page 10, lines 25-28, discloses: "It may also be beneficial to quickly download a catalogue of desired or requested information to permit the customer to review leisurely ..."
40. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable the customer to communicate with said central communications facility.	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer ..."; also, at page 10 lines 17-19, the specification discloses: "This would provide for the simple updating of any needed communications or other remote located software at the remote facility and ensure that each remote location will be compliant with future standards ..."
41. The apparatus of claim 30, wherein said processor is further programmed to download software from said computerized central communications facility to said remote communications facility, said software adapted to enable said customer to conduct a transaction using the information provided by said computerized central communications facility relating to goods or services.	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer ..."; Title to the Invention "SYSTEM AND METHOD FOR FACILITATING TRANSACTIONS UTILIZING CENTRAL AND REMOTE LOCATIONS"
42. The apparatus of claim 30, wherein said processor is further programmed to provide an	15:31 (page:line) to 16:7

Claim	Support in the '309 Application
interactive presentation relating to goods or services.	
43. The apparatus of claim 42, wherein said interactive presentation includes an audio presentation in the form of a computerized voice.	The specification at page 19 lines 21-23 (19:21-23) discloses: "The system may also utilize voice synthesis to prompt or present options to the customer and may be used in tandem with visual prompts."
44. An apparatus for marketing at least one of goods or services, comprising: a first central communications facility having a first database of information relating to goods or services to provide to a customer at a computerized remote facility upon request, said first central communications facility adapted to enable said customer to select and contact a second central communications facility having a database of information relating to a second set of information relating to goods or services to provide upon request; and a communication device to enable said first central communications facility to communicate with said remote facility, said communication including transmitting said first set of information from said first central communications facility to said remote facility.	Page 9 line 32 to page 10 line 7 Page 16 lines 3-7 Page 1 lines 10-18, Page 3 line 32 to page 4 line 3
45. The apparatus of claim 44, further comprising means enabling said central communications facility or said other central communications facilities to conduct a transaction with said remote communications facility.	Page 13, line 9 "In this respect the system may be used to execute a transaction..."
46. Cancelled	
47. The apparatus of claim 44, wherein said central communications facility or at least one of the other central communications facilities further provides a directory of providers of goods or services.	Not argued separately. Support not required.
48.	Same as claim 35
49. The apparatus of claim 48, wherein said audio presentation is adapted to have the form of a computerized voice.	Not argued separately. Support not required.
50.	Same as claim 77

Claim	Support in the '309 Application
51. The apparatus of claim 44, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.	The specification at the sentence bridging pages 10 and 11 discloses: "To facilitate such a technique the remote or central location may record the stopping point of the customer's last on-line presentation so that when contact is resumed an appropriate presentation continuing point may be ascertained."
52. The apparatus of claim 44, wherein said goods or services include financial services.	Page 2, line 32
53. The apparatus of claim 44, wherein said goods or services include auctioning services.	Page 6, line 31
54. The apparatus of claim 44, further comprising a software application for assisting the central communications facility to download a contract to the computerized remote location.	Page 22, line 31
55-56. Cancelled	
57. The apparatus of claim 44, further comprising a software application adapted to assist the customer to download information relating to goods or services from said central communications facility.	Not argued separately. Support not required.
58. The apparatus of claim 44, further comprising means for downloading software from the central communications facility to the computerized remote facility.	The specification at page 10, lines 12-15 discloses: "... it may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer ..."
59. A method for electronically transacting goods or services between a customer at a remote location and a plurality of providers of goods or services comprising: providing a first database associated with a first provider of goods or services and containing information relating to goods or services, said first database adapted to direct the customer at a remote location to a second database associated with a second provider of goods or services and containing information relating to goods or services; and enabling a remote facility to browse each of said first or second databases for information relating to goods or services.	Title to the invention Page 9 line 32 to page 10 line 7 Page 16 lines 3-7
60. The method of claim 59, further comprising establishing	Not argued separately. Support not required.

Claim	Support in the '309 Application
communication with a third database containing information relating to goods or services.	
61.	Same as claim 39
62.	Same as claim 41
63.	Same as claim 40
64. The method of claim 59, further comprising periodically updating each of said first and said second database.	Page 2, line 23-27
65-66. Cancelled	
67.	Same as claim 77
68.	Same as claim 35
69. The method of claim 68, wherein said audio-visual presentation has the form of computerized voice.	Same as claim 43
<p>70. Apparatus for marketing goods or services, comprising:</p> <p>a central communications facility to provide information relating to goods or services to a customer at a computerized remote facility, said central communications facility adapted to enable said customer to select and contact at least one other central communications facility providing information relating to goods or services;</p> <p>a first communication device associated with said central communications facility for providing live communication between the central communications facility and said computerized remote facility;</p> <p>a second communication device associated with said central communications facility for providing a second simultaneous communication between said central communications facility and said computerized remote facility; and</p> <p>a database of information relating to goods or services accessible by said customer at said remote facility.</p>	<p>Page 8 line 1</p> <p>Page 9 line 32 to page 10 line 7</p> <p>Page 14 line 26 (e.g. phone 34)</p> <p>Page 14 line 24 (e.g. modem 30)</p> <p>Page 9 line 32 to page 10 line 7</p>
71. The apparatus of claim 70, wherein said database of information relating to goods or services includes a directory of providers of goods or services.	Not argued separately. Support not required.

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72. The apparatus of claim 70, wherein said live assistance is interactive.	Page 20, line 9
73. The apparatus of claim 70, wherein said central communications device is adapted to download a software application to said computerized remote facility.	Not argued separately. Support not required.
74. The apparatus of claim 73, wherein said software application is adapted to provide additional information relating to goods or services.	Not argued separately. Support not required.
75. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to communicate with said central communications facility.	Not argued separately. Support not required.
76. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to facilitate a transaction using the information provided by said central communications facility.	Not argued separately. Support not required.
77. The apparatus of claim 30, wherein said computerized central communications facility is further programmed to provide said customer with live assistance upon request.	The specification at page 15, line 31 – page 16 line 7, discloses: “At that time the customer may automatically review established presentations to better prepare him for a session with a representative and to educate the customer on the goods and services he is about to consider or at the customer's wish he may bypass these introductory presentations and immediately direct the session or request personal assistance from a representative.”
78.	Same as claim 77
79. The apparatus of claim 44, wherein said first central communications facility further enables said customer to browse said first set of information relating to goods and service.	Page 16, lines 3-7
80	Same as claim 79
81. The method of claim 59, further comprising enabling the remote facility to search said first database or said second database.	Page 21, lines 28-30

Claim	Support in the '309 Application
<p>82. An apparatus for providing information relating to goods and services comprising:</p> <p style="margin-left: 20px;">a first computerized central communications facility of a first provider linked to a plurality of other computerized central communications facilities providing information relating to goods and services, at least one of said plurality of other computerized central communications facilities associated with a second provider, and to a computerized remote facility adapted to have access to said plurality of other computerized central communications facilities;</p> <p style="margin-left: 20px;">wherein at least one of said computerized central communications facilities is adapted to provide information to enable said remote facility to select and contact another one of said computerized central communications facilities.</p>	<p>The specification at page 1, lines 10-14</p> <p>page 10 lines 2-7, page 5 lines 4-11</p> <p>Figure 1, Page 9 line 32 to page 10 line 7</p>
<p>83. The apparatus of claim 82, wherein each of the plurality of central communications facilities is connected to a first central communications facility.</p>	<p>Page 6, line 33</p>
<p>84. The apparatus of claim 82, wherein each of said plurality of central communications facilities is linked to at least one other central communications facility.</p>	<p>Page 6, line 33</p>
<p>85. The apparatus of claim 82, wherein each of said central communications facilities is further adapted to provide information relating to at least one of goods or services.</p>	<p>Page 3 line 34 to page 4 line 3</p>
<p>86.</p>	<p>Same as claim 77</p>
<p>87. An apparatus for marketing goods and services, comprising:</p> <p style="margin-left: 20px;">a central communications facility adapted to provide a set of information relating to goods or services to a customer at a computerized remote facility, said central communications facility</p>	<p>The specification at page 1, lines 10-14</p> <p>Figure 1, page 3 line 34, sentence bridging pages 9 and 10</p>

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<p>further adapted to be accessible to said customer through information provided by at least one other central communications facility; and</p> <p>a communication device to enable said central communications facility to communicate with said remote facility, said communication including transmitting said set of information to said customer at said remote facility.</p>	<p>FIG. 1; Page 1 lines 10-18; paragraph bridging pages 14 and 15</p>
<p>88. An apparatus to market goods or services over an electronic network, comprising:</p> <p>a first computerized central communications facility of a first provider linked to a second computerized central communications facility of a second provider and to a remote facility of a customer, said first computerized central communications facility having information relating to goods or services stored in a database, and a processor programmed to:</p> <p>receive from said customer a request to at least one of search, browse and access said database for information of interest;</p> <p>enable said customer to at least one of search, browse and access said database for information of interest;</p> <p>transmit said information of interest from said database to said computerized remote communications facility;</p> <p>direct said customer to said second computerized central communications facility, said second computerized central communications facility having information relating to goods or services stored in a database; and</p> <p>periodically update said database in said first or second computerized central communications facility.</p>	<p>The specification at page 1, lines 10-14</p> <p>page 9 line 33 – page 10 line 7</p> <p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>FIG. 1, page 1 line 15</p> <p>Page 10 lines 3-5</p> <p>Page 2, line 23-27</p>
89. A first computerized central	The specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing

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communications facility linked to a plurality of other computerized central communications facilities, said first computerized central communications facility comprising:	the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."
a database of information relating to goods or services	The specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through databases of goods and services."
a communication device for communicating with a customer at a remote facility; and	Figure 1 schematically illustrates a communication device, a modem, for providing data communication between central communications facility and the remote facility. Further, the specification at page 14, lines 23-32: "As seen in FIG. 1, this equipment includes a modem 30...."
<p>a processor programmed to:</p> <ul style="list-style-type: none"> receive from said customer a request to search, browse or access said database enable said customer to at least one of search, browse or access said database for information of interest communicate said information of interest to said customer 	<p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>FIG. 1, page 1 line 15</p>
direct said customer to one of said other computerized central communications facilities that has information relating to goods or services in competition with at least one of said first computerized central communications facility or said other computerized central communications facilities.	the sentence bridging pages 9 and 10; Referring to deficiencies of the prior art as compared with the embodiments of the invention, the specification, at page 6 lines 2-6, discloses: "Neither does Walker permit each remote facility to communicate with a variety of central facilities thus restricting the variety and competition for goods and services there offered..."; further, the specification at page 11 lines 20-32 discloses: "The reduction in costs associated with these products will then help create a greater variety of more competitive products for customers more likely to meet each customer's specific needs with greatly reduced overhead costs allowing the products to be much more competitive with other products and services ... The reduced capital requirements would also encourage smaller companies to compete. Many smaller companies currently

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	concentrate on specific states or regions as they do not have the resources to develop products for many states. The result would be increased competition."
90. A first computerized central communications facility linked to a plurality of other computerized central communications facilities, at least one of said other computerized central communications facilities providing information relating to goods or services in competition with said first computerized central communications facility, the said first computerized central communications facility comprising:	Referring to deficiencies of the prior art as compared with the embodiments of the invention, the specification, at page 6 lines 2-6, discloses: "Neither does Walker permit each remote facility to communicate with a variety of central facilities thus restricting the variety and competition for goods and services there offered..."; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services. "; further, the specification at page 11 lines 20-32
a database of information relating to goods or services	The specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through databases of goods and services."
a communication device for communicating with a customer at a computerized remote facility; and	Figure 1 schematically illustrates a communication device, a modem, for providing data communication between central communications facility and the remote facility. Further, the specification at page 14, lines 23-25: "As seen in FIG. 1, this equipment includes a modem 30, a digital computer 32... "
a processor programmed to: receive from said customer a request for information relating to goods or services enable said customer to at least one of search, browse or access said database for information relating to said goods or services, and communicate said information relating to said goods or services to said customer wherein said customer at said	The specification at page 3 line 34 – page 4 line 3; the specification at page 16, lines 3-7 page 21 lines 28-30; page 16, lines 3-7; page 18 line 25 FIG. 1, page 1 line 15

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computerized remote facility can access information at said first computerized central communications facility and with at said at least one other competing computerized central communications facility by using software downloaded from said first computerized central communications facility or from at least one other computerized central communications facility.	Page 9 line 32 to page 10 line 7 The specification at page 10, lines 12-15
91***	Not argued separately. Support not required.
92.	Same as claim 32
93. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide employee recruiting information.	Page 23, line 33
94. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to verify the identity of said customer.	Page 14, line 15
95. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide information about the sale or financing of housing.	Page 6, line 27
96. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a coupon relating to said goods or services to said customer.	Page 24, line 18
97. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to provide a discount relating to said goods or services to said customer.	Page 24, line 19
98. The apparatus of claim 82, wherein at least one of said computerized central communications facilities is configured to charge said customer a fee to obtain access to said information relating to goods or	Page 24, line 16

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services.	
99	Not argued separately. Support not required.
100.	Same as claim 32
101.	Same as claim 93
102.	Same as claim 94
103.	Same as claim 95
104.	Same as claim 96
105.	Same as claim 97
106.	Same as claim 98
107. The apparatus of claim 87, wherein at least one of said central communications facilities is configured to provide auctioning services.	Page 6, lines 31-34
108. A marketing apparatus for use with a distant communications apparatus,	See title 'SYSTEM AND METHOD FOR FACILITATING TRANSACTIONS UTILIZING CENTRAL AND REMOTE LOCATIONS'; under Summary of the Invention see page 8 line 1(8:1) 'The method by which the transactions are facilitated reduces the costs associated with creating, <u>marketing</u> , administering, and selling these products and services...', page 6 line 32 '...a number of the remote locations may be concurrently linked with one or more central facilities or auction houses so that groups of customers at each remote or local auction facility may participate in the actual auction at one or more distant central facilities...' and page 8 line 15 '...transaction system and method where having earlier established communication between the remote and central locations the customer may use the electric communications facilities...'.
said distant communications apparatus having means for storing a digital image of a good for sale, means for storing a data record of said good for sale,	See 'Field of the Invention' pg1 '...system and method for facilitating transactions utilizing central and remote facilities in concurrently or non concurrently transmitting voice or audio, <u>data</u> , and <u>images</u> ...to sell... <u>goods</u> '; Page 4, line 1 "... information is centralized or stored centrally..."; see under Description of the Prior Art at page 3 line 34 "...the preferred embodiment of the present invention where the information is centralized or <u>stored</u> centrally".
and means for transmitting such to said marketing apparatus.	See 'Field of the Invention' page 1 '...system.. for facilitating transactions ... in ... <u>transmitting</u> voice or audio, <u>data</u> , and <u>images</u> ...';
said marketing apparatus comprising:	See page 6 line 32 '...a number of the remote locations may be concurrently linked with one

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a communications means for communicating with said distant communications apparatus, a processor operably connected to said communications means, said processor receiving a data record of a good for sale from said distant communications apparatus, said processor receiving an identification code from said distant communications apparatus;	or more central facilities or auction houses so that groups of customers at each remote or local auction facility may participate in the actual auction at one or more distant central facilities...'; page 5 line 9; see 13:24 (page:line) for digital computer 18 which would encompass a processor; see 16:12 using identification code to identify facility/apparatus.
a storage device operably connected to said processor, said storage device adapted to receive said data record of a good for sale, said data record containing an image of said good for sale and a written description of said good for sale;	See 3:35 (page:line) "... the present invention where the information is centralized or stored centrally and thereafter transmitted...", 12:29 "... the present invention employing an array of means for transmitting and/or receiving information comprising <u>visual</u> , <u>audio</u> , and <u>data</u> ..."; See 'Field of the Invention' page 1 "...system... for facilitating transactions ... in ... transmitting voice or audio, data, and images..."; 18:1 'Information for home users when purchasing or renting movies, music, or other forms of entertainment might comprise: ratings, titles, product <u>descriptions</u> , artists or actors, articles written...'
presentation software operably connected to said storage device and a communications link, said presentation software providing via said communications link an interface to said marketing apparatus for a customer, said presentation software providing said customer with access to said data record written description and said image of said good for sale;	19:32 (page:line) 'The transmitted <u>presentation</u> may utilize a well known spokesperson and give the appearance of a commercial or infomercial. On his own the customer may back up, fast forward, skip, or jump to the specific product information he wishes...', 18:29 graphics <u>software</u> permitting customer to <u>access</u> data.
a transaction processor operably connected to said communications link and said storage device, said transaction processor adapted to enable customer to tender payment, and to approve said payment means; and	13:9 (page:line) 'the system may be used to execute a <u>transaction</u> ...', 11:8 'The system could thus provide a <u>means to ... tender payment</u> for goods and services purchased.', 7:11 '... remit his payment.', 21:13 '... <u>approve</u> the intended purchase...".
a transaction record means operably connected to said transaction processor, said transaction record means transmitting to said customer in response to said purchase request a record of said transaction.	7:14 (page:line) "... <u>customer may be provided</u> a separate recording or printing device to provide the customer a <u>record or receipt of any transaction</u> he may perform..."
109.	Same as claim 107
110. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to provide a coupon relating to said	24:18 "... provide the customer with a printed coupon, rebate or voucher..."

Claim	Support in the '309 Application
goods or services to said customer.	
111	Not argued separately. Support not required.
112. The marketing apparatus of claim 108 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.	10:3 "... permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it..."
113. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to contact said customer and apprise said customer of goods or services offered or any special offerings.	16:28 "... where the central system would contact the remote facility to apprise potential customers of goods and services offered..."
114. The marketing apparatus of claim 108 wherein at least one of said apparatus is configured to initiate contact with said customer.	16:28 "... where the central system would contact the remote facility to apprise potential customers of goods and services offered..."
115. An apparatus to market and/or sell goods or services over an electronic network comprising:	As with Claim 30, the specification at page 1, lines 10-17 disclosed: "The present invention generally relates to... system and method for facilitating transactions..."); the specification at page 8 lines 1-4 discloses: "The method by which the transactions are facilitated reduces costs associated with creating, <u>marketing</u> , administering, and <u>selling</u> these <u>products</u> and <u>services</u> ... ", 8:16 (page:line) "... <u>established communication</u> between the remote and central locations the customer may use the <u>electronic communications facilities</u> ..."
a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other computerized central communications facilities,	the specification at page 6, line 31 – page 7 line 3 discloses: "For auction houses a number of the remote locations may be <u>concurrently linked</u> with one or more central facilities..."
each of said first of other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to: receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central	page 16, lines 3-7 "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may <u>browse through databases</u> of goods and services.";
	page 21 lines 28-30; page 16, lines 3-7; page 18 line 25

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<p>communications facility for information or interest;</p> <p>enable said customer to at least one of search, browse and access said database for information of interest; and</p> <p>transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility,</p>	<p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>FIG. 1, page 1 line 15</p>
<p>wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding the rental of entertainment products.</p>	<p>18:1 (page:line) 'Information for home users when purchasing or <u>renting</u> movies, music, or other <u>forms of entertainment</u> might compromise: ratings, titles, product descriptions, artists or actors, articles written by critics or excerpts of, short segments of music or movie (samples or previews)...'</p>
<p>116. The apparatus of claim 115 wherein said rentals are entertainment products.</p>	<p>Page 18, line 3</p>
<p>117-120 (Non-elected)</p>	
<p>121. The apparatus of claim 115 wherein at least one of said computerized central communications facilities is adapted to enable said customer to print said information.</p>	<p>Page 7, line 22</p>
<p>122. The apparatus of claim 115 wherein at least one of said computerized central communications facilities is configured to enable said customer to select and contact another computerized central communications facility.</p>	<p>Page 9 line 33 through page 10 line 7</p>
<p>123. A method for running application software in a computer network environment, comprising:</p>	<p>See title 'SYSTEM AND METHOD...', 12:30 '...means for <u>transmitting and/or receiving information</u> comprising visual, audio, and/or data between the financial services facility or location 12 and a customer at one of the respective remote facilities or locations 14.', and 10:8 '...<u>application software</u>...'</p>
<p>providing at least one computerized remote communications facility and at least one computerized central communications facility coupled to said network environment, wherein said network environment is a hypermedia transmitted environment;</p>	<p>See Figure 1, 12:12 (page:line) 'The transactions facilitating system 10 includes at least one central facility 12, such as a financial services company, marketer, or manufacturer and at least one remote facility 14...', 20:4 'Information may be provided at various levels of detail through a technique known as <u>hypertext</u>.'</p>

Claim	Support in the '309 Application
executing, at said computerized remote communications facility, browsing application software that processes a first transmitted hypermedia document to identify visual and/or audio information in said hypermedia document caused to be transmitted from said computerized central communications facility for a customer at said computerized remote communications facility;	18:14 (page:line) 'The digital computer 18 stores suitable well-known off-the-shelf operations, communications and perhaps graphics <u>software programs</u> in its memory and is <u>operational to translate</u> the signals, electronic or otherwise, caused to be transmitted from the financial services facility 12 into such displayed, audio reproduced...'; page 16, lines 3-7 per browse; 20:4 'Information may be provided at various levels of detail through a technique known as <u>hypertext</u> .'
utilizing said browsing application software to display, on a monitor at said computerized remote communications facility, at least a portion of a first transmitted hypermedia document received over said network from said computerized central communications facility, wherein a portion of said first hypermedia document is displayed within a first browsing application software window on said monitor at said computerized remote communications facility, wherein said computerized remote communications facility has downloaded application software from at least one of said computerized central communications facilities in a current or past session, wherein said browsing application software is operational to process information contained in said hypermedia document, and wherein said downloaded application software is operational to translate information contained in said transmitted hypermedia document in order to display in said first browsing application software window or otherwise reproduce said information at a computer for said customer at said computerized remote communications facility.	18:27 (page:line) 'An example of a suitable graphics program is one commercially available under the trademark <u>Harvard Graphics</u> which may be used to reconstruct digitally transmitted information...'. According to its web site (see http://www.harvardgraphics.com/about.asp) Harvard Graphics ran on the Windows operating system which supports multiple document windows. 18:14 'The digital computer 18 stores suitable well-known off-the-shelf operations, communications and perhaps graphics software programs in its memory and is <u>operational to translate</u> the signals, electronic or otherwise, caused to be transmitted from the financial services facility 12 into such displayed, audio <u>reproduced, recorded...</u> '; 10:12 '...it may also be beneficial to <u>download</u> certain <u>software</u> from the central facility to the remote location to provide proper control and support for the customer...'
124.	Same as claim 110
125.	Same as claim 107
126. The method of claim 123 wherein at least one of said computerized central communications facilities is configured to provide information	Page 17, line 29; page 1, line 17

Claim	Support in the '309 Application
about the sale or financing of vehicles.	
127.	Same as claim 122
128.	Same as claim 113
129.	Same as claim 114
130. A method for enabling a remote user to preview a portion of a pre-recorded entertainment product from a network computerized central communications facility containing pre-selected portions of different pre-recorded entertainment products, using a computer, a computer display and a telecommunications link between the remote user's computer and the network computerized central communications facility, the method comprising the steps of:	16:34 to 18:6 (page:line) 'Having established contact ... with the customer's modem 16, digital computer 18, monitor 22 ...to transmit and provide helpful audio, video, and data information to the customer about the transaction being proposed ...Such information ...may comprise audio and visual information related to those goods and services ...Information for home users when purchasing or renting movies, music, or other forms of <u>entertainment</u> might comprise: ratings, titles, product descriptions, artists or actors, articles written by critics or excerpts of, short segments of music or movie (samples or previews)...'
a) using the remote user's computer to establish a telecommunications link to the network computerized central communications facility wherein the network computerized central communications facility comprises (i) a central computer coupled to a communications network for retrieving and transmitting the pre-selected portion of the pre-recorded entertainment product upon request by a remote user and (ii) a central storage device for storing pre-selected portions of a plurality of different pre-recorded entertainment products;	16:3 (page:line) '...customer may establish contact with the central facility's equipment ...help himself in a self-service mode where he may browse through databases of goods and services...'
b) choosing at least one pre-selected portion of the pre-recorded entertainment products from said central computer;	16:34 (page:line); 18:6; 16:3 as above
c) receiving the chosen pre-selected portion of the pre-recorded products; and	16:34 (page:line); 18:6; 16:3 as above
d) interactively previewing the received chosen pre-selected portion of the pre-recorded entertainment product.	16:34 (page:line); 18:6; 16:3 as above
131. The method of claim 130 wherein the method further comprises the step of transmitting user identification data from the remote user's computer to the central host server thereby allowing the	16:13 (page:line) using identification code to identify facility; 14:15 verify customer identification; 20:23 monitoring customer's use

Claim	Support in the '309 Application
central host server to identify and track the user's progress through the network computerized central communications facility.	
132.	Same as claim 110
133.	Same as claim 107
134.	Same as claim 126
135	Same as claim 122
136	Same as claim 113
137	Same as claim 114
<p>138. An apparatus for marketing goods and/or services, comprising:</p> <p>a computerized central communications facility providing information relating to goods and/or services to customers at a plurality of computerized remote facilities, each of said plurality of computerized remote facilities remote from and linked to said computerized central communications facility; and</p> <p>a database of information relating to said goods and/or services accessible to customers at said plurality of computerized remote facilities;</p> <p>wherein said computerized central communications facility provides auctioning services including receipt of auction bids placed by customers from said plurality of computerized remote facilities.</p>	<p>6:31 (page:line) 'For auction houses a number of the remote locations may be concurrently linked with one or more central facilities or auction houses so that groups of customers at each remote or local auction facility may participate in the actual auction at one or more distant central facilities or houses.'</p> <p>page 16, lines 3-7; page 18 line 25</p> <p>Page 7 line 6</p>
139. The apparatus of claim 115 wherein said rentals are travel rentals.	Page 23, line 26; page 18 line 2
140. An apparatus to market and/or sell goods or services over an electronic network comprising:	As with Claim 30, the specification at page 1, lines 10-17 disclosed: "The present invention generally relates to... <u>system</u> and method for facilitating transactions..."); the specification at page 8 lines 1-4 discloses: "The method by which the transactions are facilitated reduces costs associated with creating, <u>marketing</u> , administering, and <u>selling</u> these <u>products</u> and <u>services</u> ... 8:16 "... <u>established</u> <u>communication</u> between the remote and central locations the customer may use the <u>electronic</u> <u>communications</u> <u>facilities</u> ..."
a first computerized central communications facility adapted to be linked to a computerized remote facility and to a plurality of other	The specification at page 5, lines 8-10 discloses: "... whereas the present invention would with central storage permit each remote facility or location to communicate with an

Claim	Support in the '309 Application
<p>computerized central communications facilities,</p> <p>each of said first or other computerized central communications facilities having information relating to goods or services stored in a database, and each of said first or other computerized central communications facilities having a processor programmed to:</p> <p>receive from a customer located at said computerized remote facility a request to at least one of search, browse and access in said database at said first or other computerized central communications facility for information of interest;</p> <p>enable said customer to at least one of search, browse and access said database for information of interest; and</p> <p>transmit said information of interest from the database at said computerized central communications facility to said computerized remote communications facility;</p> <p>wherein at least one of said computerized central communications facilities is adapted to provide said customer information regarding entertainment rentals.</p>	<p>array of central facilities..."; the specification at page 6, line 31 – page 7 line 3 discloses: "For auction houses a number of the remote locations may be <u>concurrently linked with one or more central facilities...</u>"; the specification at page 7 lines 30-35 discloses: "The customer is to communicate with central facilities or locations comprising banks, ... or in general any location for which a customer might wish assistance; the specification at page 9 line 33 – page 10 line 7 discloses: "... upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities and a myriad of goods and services."</p> <p>The specification at page 3 line 34 – page 4 line 3 discloses: "... unlike the preferred embodiment of the present invention where the <u>information</u> is centralized or stored centrally and thereafter transmitted to the customer at the remote location..."; the specification at page 16, lines 3-7, discloses: "[<u>t</u>he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may <u>browse through databases</u> of goods and services.>"; the specification at page 21 lines 28-30 discloses: "The customer may respond to questions regarding his medical history and based upon a search of medical history either at the central facility..."</p> <p>page 21 lines 28-30; page 16, lines 3-7; page 18 line 25</p> <p>FIG. 1, page 1 line 15</p> <p>18:1 (page:line) 'Information for home users when purchasing or <u>renting</u> movies, music, or other <u>forms of entertainment</u> might compromise: ratings, titles, product descriptions, artists or actors, articles written by critics or excerpts of, short segments of</p>

Claim	Support in the '309 Application
141. The apparatus of claim 140 wherein said rentals are movie rentals.	music or movie (samples or previews)... Page 18, line 2
142	Same as claim 121
143	Same as claim 122